



East India (Civil Services in India)

Report of the  
Royal Commission on the  
Superior Civil Services  
in India.

Dated 27th March, 1924.

# THE ROYAL COMMISSION.

GEORGE R.I.

GEORGE THE FIFTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India, to

Our Right Trusty and Well-beloved Cousin and Counsellor Arthur Hamilton, Viscount Lee of Fareham, Knight Grand Cross of Our Most Excellent Order of the British Empire, Knight Commander of Our Most Honourable Order of the Bath, and

Our Trusty and Well-beloved :—

Sir Reginald Henry Craddock, Knight Grand Commander of Our Most Eminent Order of the Indian Empire, Knight Commander of Our Most Exalted Order of the Star of India, late Lieutenant-Governor of Burma ;

Sir Cyril Jackson, Knight Commander of Our Most Excellent Order of the British Empire ;

\*Sir Chimanlal Harilal Setalvad, Knight, Member of the Executive Council of the Governor of Bombay ;

Khan Bahadur Sir Muhammad Habibullah, Sahib Bahadur, Knight, Companion of Our Most Eminent Order of the Indian Empire, Member of the Executive Council of the Governor of Madras ;

Rai Bahadur Hari Kishan Kaul, Companion of Our Most Exalted Order of the Star of India, Companion of Our Most Eminent Order of the Indian Empire, Commissioner, Punjab ;

David Petrie, Esquire, Companion of Our Most Eminent Order of the Indian Empire, Commander of the Royal Victorian Order, Commander of Our Most Excellent Order of the British Empire, Indian Police Service,

Bhupendranath Basu, Esquire, Member of the Council of India ; and

Reginald Coupland, Esquire, Beit Professor of Colonial History in Our University of Oxford.

Greeting !

Whereas, having regard to the necessity for maintaining a standard of administration in conformity with the responsibilities

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\* Sir Chimanlal Setalvad resigned his membership of the Commission on 22nd Oct., 1923, and his place was filled by the appointment, on 26th Oct., 1923, of Mr. N. M. Samartha.

of the Crown for the Government of India, and to the declared policy of Parliament in respect of the increasing association of Indians in every branch of the administration, and in view of the experience now gained of the operation of the system of government established by the Government of India Act in respect of the superior Civil Services in India, We have deemed it expedient that a Commission should forthwith issue to enquire into :—

- (1) The organisation and general conditions of service, financial and otherwise of those Services ;
- (2) The possibility of transferring immediately or gradually any of their present duties and functions to services constituted on a provincial basis ;
- (3) The recruitment of Europeans and Indians respectively for which provision should be made under the Constitution established by the said Act, and the best methods of ensuring and maintaining such recruitment ; and to make recommendations .

Now know ye that We, reposing great trust and confidence in your knowledge and ability, have authorised and appointed and do by these Presents authorise and appoint you, the said Arthur Hamilton, Viscount Lee of Foreham (Chairman) ; Sir Reginald Henry Craddock ; Sir Cyril Jackson ; Sir Chimanlal Harilal Setalvad, Sir Muhammad Habibullah ; Hari Kishan Kaul ; David Petrie, Bhupendranath Basu and Reginald Coupland to be Our Commissioners for the purposes of the said enquiry.

And for the better effecting the purposes of this Our Commission, We do by these Presents give and grant unto you, or any three or more of you, full power, at any place in Our said United Kingdom of Great Britain and Ireland, or in India, to call before you such persons as you shall judge likely to afford you any information upon the subject of this Our Commission ; and also, whether in Our said United Kingdom, or in India, to call for information in writing, to call for, have access to and examine all such books, documents, registers and records as may afford you the fullest information on the subject, and to enquire of and concerning the premises by all other lawful ways and means whatsoever.

And We do by these Presents authorise and empower you, or any one or more of you, to visit and personally inspect such places as you may deem it expedient so to inspect for the more effectual carrying out of the purposes aforesaid.

And We do by these Presents will and ordain that this Our Commission shall continue in full force and virtue, and that you, Our said Commissioners, or any three or more of you, may from time to time proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment.

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# ROYAL COMMISSION ON THE SUPERIOR CIVIL SERVICES IN INDIA.

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## REPORT.

TO THE KING'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY,

We, the undersigned Commissioners, having been appointed to enquire into —

- (i) The organisation and general conditions of service, financial and otherwise, of the Superior Civil Services in India,
- (ii) The possibility of transferring immediately or gradually any of their present duties and functions to services constituted on a provincial basis,
- (iii) The recruitment of Europeans and Indians respectively for which provision should be made under the Constitution established by the Government of India Act, and the best methods of ensuring and maintaining such recruitment;

humbly submit to Your Majesty the following Report.—

1. In considering the matters referred to us, we have throughout borne in mind the terms of our Warrant of Appointment which laid stress on “the necessity for maintaining a standard of administration in conformity with the responsibilities of the Crown for the government of India, and the declared policy of Parliament in respect of the increasing association of Indians in every branch of the administration, and the experience now gained of the operation of the system of government established by the Government of India Act in respect of the Superior Civil Services in India.”

2. We assembled in India, at Delhi, on 4th November, 1923, and addressed ourselves in the first instance to the task of revising, and finally approving, the terms of the provisional questionnaires which had been drawn up by the Chairman and which we had determined should be the principal method employed to ascertain the trend of representative official and non-official opinion on the subjects comprised within our terms of reference. Copies of

these questionnaires, as approved and issued, are printed as Appendix I to this Report. The main distribution of these questionnaires was undertaken on our behalf by Local Governments. They were also published widely in the Press. Some 1,300 replies were forwarded to us direct by individuals and associations scattered throughout the length and breadth of India, in addition to about 100 from Great Britain, the latter on the basis of the provisional questionnaires issued by the Chairman in England. Of these witnesses 411, official and non-official, have been further examined orally, more than half of them in private in accordance with their request.

3. After preliminary and informal conferences at Delhi with the Secretaries to the Government of India in the Home, Legislative, Army, Foreign, Political, Industries and Labour, Education and Health and Lands Departments, and with other officers, we proceeded successively to Allahabad, Bombay, Madras, Calcutta, Patna and Lahore for the purpose of supplementing the evidence contained in the written replies to our questionnaires by the oral examination of selected witnesses, and by private and informal conferences with Provincial Governments. In the course of these travels the distance covered by the Commission approximated to 6,500 miles. Pressure of time, and considerations of economy, led us to decide not to visit the Central Provinces, Burma, Assam, the North-West Frontier Province or Baluchistan, but arrangements were made by which witnesses from the Central Provinces were heard at Bombay, those from Burma and Assam at Calcutta, and those from the North-West Frontier Province at Lahore, while the written statements submitted by witnesses from Baluchistan proved sufficient for our purpose so far as that administration was concerned.

4. We returned to Delhi in February for the purpose of recording evidence from a number of officials and heads of Departments in the Central Services serving under the Government of India, including the Director-General of Posts and Telegraphs, the Chief Commissioner of Railways, a Member of the Central Board of Revenue and the Auditor-General, and from a number of officers of All-India Services working at the headquarters of the Government of India, including the Director-General of the Indian Medical Service, the Inspector-General of Forests, the Agricultural Adviser and the Educational Commissioner. Subsequently we proceeded to Mount Abu, Rajputana, for the consideration of our present Report which we concluded there on 27th March.

5. We desire to take this opportunity of recording our appreciation of the trouble and labour expended by the recipients of questionnaires in the preparation of their written replies. The considered and exhaustive nature of these documents has been of the greatest possible assistance to us in our deliberations.

We gladly record also, our obligations to the Government of India and to the various Local Governments for their courtesy in placing office and other accommodation at our disposal, and generally facilitating the prosecution of our enquiries.

## CHAPTER I

### THE GENESIS OF THE COMMISSION.

6. The great majority of Government officials in India are divided into classes corresponding to differences in the responsibility of the work performed and the qualifications required. These classes are organised for the most part as "Services". This Commission is concerned only with the highest or the Superior Civil Services dealing with each branch of the administration. The second class of Services is usually known as "provincial"; the third class as "subordinate", and with these the Commission is not directly concerned.

The Superior Civil Services themselves are divided into two classes, according as they administer subjects which are under the direct management of the Central Government in India or subjects which are primarily controlled by the Provincial Governments. The former class consists of the Central Services, which deal, *inter alia*, with the Indian States and frontier affairs, the administration of the State Railways, with Posts and Telegraphs, Customs, Audit and Accounts, and with scientific or technical departments such as the Survey of India, the Geological Survey and the Archæological Department. The other class which works primarily under the Provincial Governments comprises the All-India Services. The term may at first sight appear inappropriate to Services which are essentially concerned with administration in the Provinces. It marks the fact, however, that these Services are recruited by the Secretary of State, for work in any part of India, and that each, though scattered through the Provinces, forms one Service with one basis of remuneration. Though an officer of an All-India Service is assigned to and as a rule remains in one Province throughout his career, he may be transferred to another Province; while a certain number of officers are taken by the Government of India from the Provinces to assist in the discharge of its central functions. Services of this nature differ essentially from the Provincial Services which are recruited in a Province solely for provincial work, and it is to mark this distinction that these Services have been given the title of "All-India." As the main part of the actual administration of India is carried out by the Provincial Governments, it follows that the All-India Services are the main executive

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agents of the administration throughout the country. The following table shows the sanctioned strength and actual numbers of these Services on 1st January, 1924.—

*The All-India Services.*

		Sanctioned Strength	Actual Numbers.
Indian Civil Service	..	1,350	1,290
Indian Police Service	.	732	739
Indian Forest Service	..	399	348
Indian Educational Service—			
(Men)	..	379	362
(Women)	..	42	36
Indian Agricultural Service	..	157	109
Indian Veterinary Service	..	54	38
Indian Forest Engineering Service	.	18	17
Indian Medical Service (Civil)	.	420	373
Indian Service of Engineers	..	728	716
Total		4,279	3,975

*The Islington Commission.*

7. The Civil Services in India came under detailed review by the Royal Commission on the Public Services presided over by Lord Islington (generally known as the Islington Commission) which assembled on the 31st December, 1912, and signed its Report\* on the 14th August, 1915. It was not the task of that Commission to attempt to alter the structure of administration which it found in existence. Its labours were directed merely to making such adaptations in the composition of the Services, and their organisation or financial conditions, as the circumstances of the time required. Apart from numerous recommendations directed to improving what may be called the technical organisation and efficiency of the Services, the Commission devoted itself mainly to exploring the possibilities of a wider employment of Indians in the Superior Services and to an examination of the conditions of service, particularly on their financial side.

8. The Report of the Islington Commission was signed in August, 1915, when the war had been in progress for a year. The Governments, both in India and in England, were fully occupied with the prosecution of the war. Consequently the consideration of the proposals of the Commission was deferred and the Report was not published till the 26th January, 1917. Before the Report could be taken into serious consideration the facts on which it was based had materially changed. On 20th August, 1917, the Secretary of State announced in the House o

\*Cd. 8382.

Commons that the policy of His Majesty's Government was that of "the increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realisation of responsible government in India as an integral part of the British Empire." Further, the war had in India, as elsewhere throughout the world, produced an upheaval of prices which had greatly increased the cost of living, and this factor had obviously not been taken into account in the rates of pay which the Commission proposed.

There were thus three new factors in the situation (a) the special stress laid on the increasing association of Indians in every branch of the administration, (b) the new policy directed towards the progressive realisation of responsible government; (c) the marked change in the cost of living. It was easier to recognise these new factors than to devise measures to meet them. The Government of India, in their elaborate examination of the recommendations of the Islington Commission, and the Secretary of State in the orders which he passed, clearly endeavoured to give due weight to the changed and changing conditions. It was, however, impossible to produce a scheme which would fit the new circumstances without a complete re-examination of the problem, and the orders which were passed during the course of the years 1919-20, on the recommendations of the Islington Commission, suffered inevitably from having been based on an investigation which subsequent events were rendering obsolete.

#### *The Montagu-Chelmsford Enquiry.*

9. The progressive influence of these new factors on the problems of the Services will be examined in detail in the body of this Report, but it will be convenient at this point to summarise briefly the chief events which led up to the appointment of the present Royal Commission. We have already referred to the announcement of the new policy contained in the Declaration of 20th August, 1917. In pursuance of this Declaration the Secretary of State visited India in the winter of 1917-18 and, in collaboration with the Viceroy, made a detailed enquiry into the measures necessary to give effect to the new policy. The result of this inquiry is contained in the Report on Indian Constitutional Reforms by Mr. Montagu and Lord Chelmsford, commonly known as the Montagu-Chelmsford Report.\* This elaborate review of the whole situation formed the basis for lengthy and detailed discussion in India and in England out of which the Government of India Act (1919) finally emerged. This Act, with the Rules made thereunder, embodies the present constitution of India.

#### *Subsequent Developments*

10. It was hoped that the inception of the new policy would eliminate the primary cause of unrest in India, but unhappily the development of events belied this hope. Owing to causes

\* Cd. 9109/1918.

which it is not within our province to examine, unrest increased. The relations between the political classes and the Services instead of being improved were markedly worsened. In the minds of the Services the uncertainty of the political future of India, combined with attacks upon them in the press and on the platform, and their steadily deteriorating financial condition, produced feelings of anxiety and discontent. In Indian political circles, on the other hand, the new system seemed incomplete and slow in its operation. It seemed incomplete because the self-government granted in the "transferred" field was limited by the fact that the members of the All-India Services engaged therein were still under the ultimate control of the Secretary of State. It seemed slow in operation because the rate of Indianisation adopted since 1919 was regarded as illiberal. In the course of our tour through India we inquired into each of these causes of discontent, and we propose to discuss them in greater detail in subsequent sections of our Report. It is enough now to point out that in the course of 1922 they impelled both the Secretary of State and the Government of India to take action.

11 The immediate preoccupation of the Secretary of State was the check in the flow of recruits for the Indian Services. Accordingly he appointed a Committee, presided over by Lord MacDonnell, to enquire into the impediments to recruitment. The Committee reported on 21st June, 1922. Though certain detailed suggestions for improvement were made, the majority of the members, in a supplementary note admitted that these recommendations were mere palliatives and suggested that the time had come to consider on broader lines how the organisation of the Public Services could be adjusted to suit the recent constitutional changes.

While the Secretary of State was considering the problem arising out of the decline in European recruitment the Government of India was being incessantly pressed to accelerate Indianisation. In order to clear the ground, all Local Governments were consulted on 30th May, 1922, in a letter which has become famous in the vocabulary of recent Indian politics under the name of the "O'Donnell Circular." In this letter the arguments for and against a drastic reduction or complete cessation of European recruitment were clearly summarised. Thus, within four years from the passing of the Government of India Act, both the Secretary of State and the Government of India had been obliged to reconsider the whole question of the Services. But the problems were only stated, they were not solved, by the MacDonnell Committee's Report and the O'Donnell Circular, and it was the need for a fresh, full and impartial enquiry into the means of solving them that led to the appointment of the present Royal Commission.



## PART I.—ORGANISATION.

## CHAPTER II.

## APPOINTMENT AND CONTROL OF THE SERVICES.

12. The question of the appointment and control of the Services has been one of the principal issues of our enquiry. We were met at the outset by a strong plea, on the part of moderate Indian opinion, for the transference to some authority in India of the functions of appointment and control at present exercised by the Secretary of State

The proposals laid before us in this regard were that these powers should be transferred either to the Government of India or to Provincial Governments. In many quarters it was felt that the "Public Service Commission," required to be established in accordance with Section 96C of the Government of India Act and dealt with by us in Chapter IV of our Report, should assist the Government concerned in the discharge of its responsibilities.

We now propose to consider the above suggestions as applied to the various Services, which for that purpose may be classified as (i) Services operating in the reserved fields of administration; (ii) those operating in transferred fields, and (iii) the Central Services under the Government of India.

*(i) Services Operating in Reserved Fields*

13. These are the Indian Civil Service, the Indian Police Service, the Irrigation Branch of the Indian Service of Engineers, the whole cadre of this Service in Assam, and, except in the Provinces of Burma and Bombay, the Indian Forest Service.

We are agreed that in present conditions the appointment of and control over these Services must continue to vest in the Secretary of State. Some of our Members think that this conclusion follows inevitably from the principles implicit in the Government of India Act. Others of our Members are not prepared to accept this view, and hold that such a transfer is contemplated by the provisions of the Act. In spite, however, of this inability to agree on the constitutional position, we are agreed that the Secretary of State should for the present retain his powers of appointment and control of the All-India Services.

*(ii) Services Operating in Transferred Fields*

14. These are the Indian Educational Service, the Indian Agricultural Service, the Indian Veterinary Service and the Indian Forest Service (in Burma and Bombay) and the Roads and Buildings Branch of the Indian Service of Engineers (except in Assam). The Civil side of the Indian Medical Service also falls within this category, but requires separate treatment

In the transferred field the responsibility for administration rests on Ministers dependent on the confidence of Provincial Legislatures. It has been represented to us that although Ministers have been given full power to prescribe policy, they might be hampered in carrying it out by the limitations to their control over the All-India Services, inasmuch as members of these Services, unlike those of Provincial Services, are appointed by the Secretary of State and cannot be dismissed except by him, whilst their salaries are not subject to the control of the Local Legislatures.

Ministers themselves have told us that the All-India officers serving under them have, with negligible exceptions, given most loyal support in carrying out their policies, but the constitutional anomaly remains that the control over the transferred field contemplated by the framers of the Government of India Act has remained incomplete. Our proposals are framed to remedy this particular anomaly.

15 A considerable body of evidence has been placed before us regarding the effect of the cessation of All-India recruitment on the standard of administration in the transferred field, and many experienced officers apprehend some deterioration. Subject, however, to the assumptions in paragraph 17, we are not convinced that the risk attending the change is sufficient to outweigh the argument for carrying to a logical conclusion the constitutional change effected by the Government of India Act in this field of administration.

We are accordingly of opinion that for the purposes of Local Governments, no further recruitment should be made for the Indian Educational Service, the Indian Agricultural Service, and the Indian Veterinary Service as at present constituted: for the Indian Forest Service in Bombay and Burma, and (subject to the arrangements set out in paragraph 10 of our Report) for the Roads and Buildings Branch of the Indian Service of Engineers. The personnel required for these branches of administration should in future be recruited and appointed by Local Governments.

16 So far our recommendations apply to appointment only, but it is a logical consequence of what we have said above that Local Governments should have power to make rules regulating the Public Services which will take the place of the present All-India Services operating in the transferred field. We accordingly recommend that the Secretary of State should make the necessary delegation of powers under Section 96B(2) of the Act. The delegation would naturally cover the existing Provincial as well as the newly provincialised Services.

The Government of India, the Secretary of State and Parliament all contemplated this use of Section 96B(2) at the time the Act was passed, but it was regarded as a corollary to the delegation of full control that the Local Legislatures should

pass Public Service Acts regulating the Provincial Services. These Acts might be expected, *inter alia* —

- (i) to secure selection over the widest possible field on merits and qualifications and to reduce the risks of political interference,
- (ii) to lay down procedure for punishment and appeals,
- (iii) to provide satisfactory conditions in regard to such matters as pensions promotions and leave.

We accordingly recommend that, if our proposals for devolution and control are accepted, Local Governments and Local Legislative Councils should take immediate steps to secure the legislation suggested above.

17 Our conclusions under this Section of our Report are dependent on the assumption that no change will be made in the position of the existing members of the All-India Services operating in the transferred field, that they will retain all the rights of officers of an All-India Service, and that they will receive any concessions in pay, pension, allowances, etc. which are sanctioned for corresponding All-India Services in the "reserved" field of administration

#### (iii) Central Services

18. Subject to the provisions of the Government of India Act, the Secretary of State retains powers of superintendence, direction, and control in regard to the field of administration in which the Central Services are employed

Appointments to some of these Services are made entirely by the Secretary of State, to others the Government of India makes all appointments, and in a third group appointments are made partly by the Secretary of State and partly by the Government of India. So far as appointments are not made by the Secretary of State, his control over the Services is restricted, for, under Section 67A(3) (iii) of the Government of India Act, the salaries and pensions of officers not appointed by him are subject to the vote of the Legislative Assembly

19 We understand that the extent to which the Secretary of State finds it necessary in practice to exercise his powers of direct, as distinct from ultimate, control is less in the case of some of these Services than in others, and it seems to us unnecessary that he should retain his power of appointment to the former class, particularly as the tendency is more and more to make appointments to them in India. We have accordingly examined the Central Services from this point of view, and we recommend that —

- (i) All appointments to  
     The Political Department,  
     The Imperial Customs Department,  
     The Ecclesiastical Department,  
     should be made by the Secretary of State.

- (ii) All appointments to the remainder of the Central Services should be made by the Government of India, with the exception of

The State Railway Engineers,

The Superior Revenue Establishment, State Railways, and

The Superior Telegraph and Wireless Branch

- (iii) We have found it difficult to bring these three Services within either of the above groups, and we accordingly recommend that appointment should continue to be made as at present, that is to say, by the Secretary of State in respect of the recruits both European and Indian appointed in Europe, and by the Government of India in respect of the recruits appointed in India.

(Note.—Officers of the Indian Civil Service and military officers employed in Central Services should continue to be appointed by the Secretary of State.)

### CHAPTER III.

#### THE INDIAN MEDICAL SERVICE.

20. The following proposals are intimately connected with our proposals in Chapter XI for the provision of European medical attendance for the European members of the Services, and they should be read together.

21. Established in the first instance as a military service for duty with the Indian Army, the Indian Medical Service has played a notable part in the civil life of India. It has not only devoted itself to the medical care of the civil population of both races, it has also been the chief agent in spreading throughout India, by means of collegiate and hospital teaching and by personal example, Western ideas of medicine, surgery and sanitation, while amongst those who have devoted themselves to original research are some whose names are held in honour throughout the world. It has been increasingly evident, however, for some years past that some readjustment was desirable in the constitution of the medical service in India. A new position has been created by the fact that, under the reforms system, the medical needs of the civil population are now the care of a Minister in charge of a transferred department. In the second place, it has been argued that it was cumbrous and uneconomical that two separate Services, the Indian Medical Service and the Royal Army Medical Corps, should be maintained, side by side, for attendance on the troops stationed in India. These matters were the subject of very careful consideration by the Verney-Lovett Committee in 1919. They recommended that there

should be one "Indian Medical Corps", responsible for the whole of the medical administration in India, both civil and military. This Corps was intended to take over the work of the Royal Army Medical Corps, which would disappear from India

We approach this matter with some diffidence, since, though we have heard many witnesses on the subject, we have not been able to devote ourselves entirely, as did the Verney-Lovett Committee, to this one question. It appears to us, however, that some steps must now be taken to settle the future status of the medical services in India, as well as to secure choice of treatment by men of their own race for British and Indians alike.

22 There has been difficulty of late years in securing British recruits for the Indian Medical Service. Much of this difficulty has no doubt been due to the universal shortage of medical men, which has been felt everywhere since the great war during which the ordinary training of medical students practically ceased. There seems, however, no doubt that the Indian Medical Service, as at present constituted, is less attractive than in the past. At the present time there is a shortage on the civil side of no less than 57 officers in the authorised cadre of 420.

Bearing in mind that there must be an adequate military reserve, and that civil medical administration is now in charge of Ministers, we think that on the whole the following solution is worthy of consideration —

- (a) That, while all concessions granted to other All-India Services should be extended to the existing members of the Indian Medical Service in civil employ, no attempt should be made to perpetuate that Service as at present constituted
- (b) That, contrary to the recommendation of the Verney-Lovett Committee that the Indian Medical Service should be developed into a new "Indian Medical Corps" which should absorb the Royal Army Medical Corps in India, the medical needs of both the British and Indian Armies in India should be provided for, in future, by the Royal Army Medical Corps (India) which should absorb the Indian Medical Service

This is the scheme proposed and elaborated by the late Director of Medical Services (Lieutenant General Sir Charles Burtchaell), and full details will be found in Appendix II.

This being mainly a military question, it would not be fitting that we should attempt to expound or argue the merits of the Burtchaell scheme, beyond saying that, in our view, it is capable of adaptation to meet the requirements of the Provinces for a separate civil medical service and to provide the necessary nucleus of British medical officers which we regard as vital to the needs and contentment of British civil servants in India.

23. Our consequential recommendations are as follows :—

(c) A Civil Medical Service should be constituted in each Province and recruited, for the Local Government, by the Public Service Commission (see Chapter IV) on the basis of a competitive examination both in England and India. The standards for this examination should be fixed by the Public Service Commission in consultation with the Local Governments, the Director-General, Indian Medical Service (or the corresponding officer with the Government of India), and the Medical Adviser to the Secretary of State in England.

The rates of pay and other conditions of service should be fixed by the Local Government in consultation with the Public Service Commission.

It should be part of the terms of contract that every officer of the Civil Medical Service should be liable for service with the Royal Army Medical Corps (India) in the event of a war involving a general mobilization.

(d) The minimum number of British officers to be maintained in the Civil Medical Service should be determined by the Secretary of State, in consultation with the Government of India and the Local Governments concerned, on the basis of paragraph 93 (a) of this Report. This number should not be varied except by order of the Secretary of State, and the responsibility for its maintenance should in the last resort rest upon him.

(e) Of this prescribed British element in the Civil Medical Service, one-half (or a number not less than that of British Medical officers from civil employ, needed for the Regular Military Reserve,\* whichever is the larger) should be reserved for British officers to be seconded from the Royal Army Medical Corps (India) in the manner suggested in the Burtchaell scheme, the remainder being obtained through the competitive examination referred to in (c) above.

(f) If the quota of British officers required to complete the authorized establishment referred to in (d) above cannot be obtained by the Local Government, under the system prescribed in (e), the deficiency should be made up, so far as practicable, by increased seconding of officers from the Royal Army Medical Corps (India).

Failing the requisite number from that source which in our view is an unlikely contingency, it is for consideration whether the deficiency could be made up

\* On this point we have proceeded upon the assumption that the quota of military medical officers from civil employ required for the Reserve will not exceed the total (122) specified in the D.M.S.'s memorandum of 2nd July, 1922, attached to Government of India Despatch No. 1 of 1923 (Department of Education and Health).

by special additional recruitment by the Royal Army Medical Corps (India) of officers who could be detailed temporarily for service in the Civil Department and be available as an addition to the Regular Military Reserve.

- (g) With regard to the professorial appointments in Government Colleges and Hospitals, we draw attention to the specific recommendation made by the Islington Commission in paragraph (xxx), at page 268 of their Report. A distinction is there drawn between the clinical chairs, which should be reserved, for so long as a fit person is available for officers of the Civil Medical Services, however recruited, and the scientific chairs which should be thrown open to all candidates. We are disposed to agree with these recommendations, subject to the substitution of the Public Service Commission for the Recruiting Committee referred to at page 268 [in paragraph (xxxiv)] of the Islington Commission's Report.

## CHAPTER IV.

### THE PUBLIC SERVICE COMMISSION.

24. Wherever democratic institutions exist, experience has shown that to secure an efficient Civil Service it is essential to protect it so far as possible from political or personal influences and to give it that position of stability and security which is vital to its successful working as the impartial and efficient instrument by which Governments, of whatever political complexion, may give effect to their policies. In countries where this principle has been neglected, and where the "spoils system" has taken its place, an inefficient and disorganised Civil Service has been the inevitable result and corruption has been rampant. In America a Civil Service Commission has been constituted to control recruitment of the Services, but, for the purposes of India it is from the Dominions of the British Empire that more relevant and useful lessons can perhaps be drawn. Canada, Australia and South Africa now possess Public or Civil Services Acts regulating the position and control of the Public Services, and a common feature of them all is the constitution of a Public Service Commission, to which the duty of administering the Acts is entrusted. It was this need which the framers of the Government of India Act had in mind when they made provision in Section 96C for the establishment of a Public Service Commission to discharge "in regard to recruitment and control of the Public Services in India such functions as may be assigned thereto by rules made by the Secretary of State in Council."

Since the passing of the Act, a prolonged correspondence, extending over nearly four years, has passed between the Secretary of State, the Government of India, and Local Governments, regarding the function and machinery of the body to be set up. No decisions have, however, been arrived at, and the subject has been referred to this Commission for consideration.

25 We have given this matter our special attention and, in the light of the evidence as to Service conditions in general that has been placed before us, we are convinced that the statutory Public Service Commission contemplated by the Government of India Act should be established without delay.

It should, in our opinion, consist of a central body of five members, the maximum number permitted by the Act. As regards "the qualifications for appointment and the pay and pension (if any) attaching to the office of Chairman and member" [see Section 96 C (1) of the Act] we do not wish to infringe in any way the prerogative and discretion of the Secretary of State in Council. We would venture, however, to emphasise the paramount importance of securing as members of the Commission, men of the highest public standing, who will appreciate the vital and intimate relationship which should exist between the State and its servants. These Commissioners should be detached so far as practicable from all political associations and should possess, in the case of two of their number at least, high judicial or other legal qualifications. They should, we suggest, be whole-time officers and their emoluments should not be less than those of High Court Judges.

26. The Public Service Commission, as we contemplate it, will be an All-India body, and, in so far as it may be invited by Local Governments to assist in dealing with problems of provincial administration, means must be provided to secure for it competent advice on provincial matters and to bring it into touch with local authorities. The requisite link might be found in the Chairmen of the Provincial Selection Boards, who, in our opinion, should be paid full-time officials appointed by the Governor in Council in consultation with the Public Service Commission. These Chairmen would not be members of the Commission, but would act as its advisers on all local matters.

27. The functions which should, at the outset, be assigned to the Public Service Commission fall into two categories:—

- (i) The recruitment of personnel for the Public Services and the establishment and maintenance of proper standards of qualification for admission to them;
- (ii) Quasi-judicial functions connected with the disciplinary control and protection of the Services.



Our proposals under the first head are as follows.---

- (i) The Public Service Commission should be charged with the duty of recruitment for the All-India Services as the agent of the Secretary of State so far as it is carried out in India
- (ii) In respect of recruitment for the Central Services, and if a Local Government should so desire for Provincial Services (including Services provincialised under our proposals in Chapter II), it should act as agent of the Secretary of State, the Government of India or the Local Governments as the case may be
- (iii) The Public Service Commission should be the final authority, so far as recruitment in India is concerned, for determining, in consultation with the Secretary of State, the Government of India or the Local Governments as the case may be, the standards of qualification and the methods of examination for the Civil Services, whether the channel of entry be by examination or nomination

Under the second head we make the following recommendations.---

- (i) Appeals to the Governor-General in Council against such orders of Local Governments as are declared by the Governor-General in Council to be appealable should be referred to the Public Service Commission, the Public Service Commission should report to the Governor-General in Council its judgment on the facts and its recommendation as to the action to be taken; and the officer concerned, if dissatisfied with the orders passed by the Government of India, should retain his right of appeal to the Secretary of State, provided that his case is certified by the Public Service Commission as a fit one for such appeal, in which case the Public Service Commission shall also furnish him with a copy of its report.
- (ii) Appeals from the Government of India which now lie to the Secretary of State should hereafter be referred to the Public Service Commission in the same manner as in the case of appeals to the Government of India (and the Commission will report to the Secretary of State in the same manner as in the case of appeals to the Government of India).

28. When a breach of the legal covenant between an officer and the appointing authority, proposed in paragraph 85 of our Report, is alleged, the aggrieved officer should have the right to apply to the Public Service Commission for a certificate that his case is *prima facie* a fit one for adjudication by a civil court.

The Public Service Commission should consider such application and, if satisfied in that behalf, grant the certificate. If the officer's claim is subsequently sustained by the courts, but not otherwise, the whole cost of the legal proceedings should be defrayed by the Government concerned. In the absence of such a certificate the ordinary rules as to costs should apply.

29. In addition to the functions under these two heads, the Public Service Commission should also deal with any suitable questions referred to it by the Government of India or Local Governments on their own initiative. For example, it might advise in cases in which the interpretation of regulations is in dispute; or on general questions of Service conditions particularly if legislation is contemplated.

30. In making these proposals, we have conceived the Public Service Commission as primarily concerned with the All-India Services and the Central Services. We are not suggesting, save only with regard to the determination of standards of qualification and methods of examination, that it should be concerned with the Provincial Services. We are aware that any proposal that a central Public Service Commission should be empowered to interfere on its own initiative in provincial administration would be regarded as violating the principle of provincial autonomy. In our view, therefore, the Public Service Commission should not forcibly be intruded into the provincial field, its knowledge and experience should merely be placed at the disposal of Local Governments. We are confident that the Public Service Commission will become in course of time the recognised expert authority, in India, on all Service questions.

31. In conclusion, we regard our recommendations under this head as one of the cardinal features of our report, and as forming an integral and essential part of the whole structure of our proposals for the future of the Services. We therefore trust that effect to them may be given as soon as practicable.

## CHAPTER V.

### INDIANISATION.

32. In our summary of the circumstances which led to the appointment of the present Royal Commission, we have drawn attention to the fact that the rates of Indianisation of the Services now in operation, although representing a marked advance on those obtaining before 1919, have nevertheless been criticised in some quarters on the ground that they move too slowly in the direction desired by Indian public opinion. This is to some extent unavoidable in the case of any reform which seeks to change

the personnel of the Services without seriously disturbing the stability and continuity of public administration during the transitional period.

We do not propose to argue the case for Indianisation *de novo*. The question was among those remitted for consideration to the Islington Commission, and the various relevant considerations were fully discussed in their Report. Subsequent to the signature of that Report, and before orders were issued on its recommendations, the announcement of August, 1917, had entirely changed the constitutional outlook. In the words of the authors of the Report on Indian Constitutional Reforms, the success of the new policy "must very largely depend on the extent to which it is found possible to introduce Indians into every branch of the administration." Recognising that Indianisation must be a "long and steady process," they recommended that recruitment of a largely increased proportion of Indians should be initiated without delay, if the Services "are to be substantially Indian in personnel by the time that India is ripe for responsible government."

Subsequently the declared policy of your Majesty's Government to provide for the "increasing association of Indians in every branch of the administration" was placed in the forefront of the preamble to the Government of India Act, 1919, as also of our Terms of Reference.

33. The orders at present in force regarding the Indianisation of the Services were passed in 1919 and 1920 on the recommendations of the Islington Commission and in the light of those contained in the Report on Indian Constitutional Reforms. These orders as affecting the All-India Services are summarised in Annexure III of Appendix I. The scale of recruitment of Indians varies from 33 per cent in the Indian Police Service up to 50 per cent in the Agricultural, Educational and Veterinary Services, and the Indian Service of Engineers. Actually the supply of European recruits has proved inadequate, and in many cases the percentages of Indian recruitment laid down have been largely exceeded. For instance in the Indian Civil Service, from 1915 to 1923 inclusive, there has been a deficiency of 125 in the number of Europeans who should, in accordance with the existing orders, have been recruited, while, in the same period, 12 Indians have been recruited above the numbers laid down. Again, in the Educational and Agricultural Services recruitment of Europeans has practically ceased except in Burma.

As we have already shown, however, the rates of recruitment of Indians, though in some cases appreciably higher than had been authorised, did not satisfy Indian political opinion. In February, 1922, the following resolution was adopted by the Legislative Assembly.—

This Assembly recommends to the Governor-General in Council that enquiries should, without delay, be inaugurated as to the measures possible to give further effect to the

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Declaration of 20th August, 1917, in the direction of increased recruitment of Indians for the All-India Services and also that steps be taken to provide in India such educational facilities as would enable Indians to enter the technical services in larger numbers than is at present possible."

The views of the Local Governments were thereupon canvassed by the Government of India in the communication known as the "O'Donnell Circular," to which we have already referred.

34 The O'Donnell Circular marshalled the arguments both for and against a reduction in European recruitment for the Services. It was clear from its general character, as also from the nature of the discussions which preceded and followed it, that the question of Indianisation was being viewed by both officials and by public opinion in India from a new angle. In the days of the Islington Commission the question was "How many Indians should be admitted into the Public Services?", it has now become "What is the minimum number of Englishmen which must still be recruited?"

In arriving at our conclusions in this matter, we have been guided by the principles laid down in paragraph 314 of the Report on Indian Constitutional Reforms. They are (i) that the traditional characteristics of the Indian Public Services should as far as possible be maintained, and there should be no such sudden swamping of any Service with any new element that its whole character suffers a rapid alteration, (ii) that there are essential differences between the various Services and the various Provinces, (iii) that there should be, so far as possible, an even distribution of Europeans and Indians between the different grades of the same Service, i.e., that the cadre should not be disturbed by haphazard stratifications, and (iv) that a demand should not be created in excess of the supply.

We propose to state our conclusions separately for each Service.

#### (1) *Indian Civil Service*

35. The percentage of recruitment of Indians for the Indian Civil Service was fixed in 1920 at 33 per cent., commencing in the year 1920, and rising by  $1\frac{1}{2}$  per cent. to 48 per cent. to be attained in the year 1930, including listed posts. In the present year, 1924, it is 39 per cent.

In our view it is desirable, in order not only to carry out the spirit of the Declaration of August, 1917, but to promote an increased feeling of camaraderie and equal sense of responsibility between British and Indian members of the Service, that a proportion of 50—50 in the cadre of the Indian Civil Service should be attained without undue delay and that the present rate of Indian recruitment should be accelerated with this object.

In this connection some Members of the Commission attach particular importance to maintaining this principle of equality in the rate of direct recruitment as well, and hold strongly the view that the ratio of such recruitment should be maintained at 40 Europeans and 40 Indians out of every 100 recruits (the remainder to be filled by promotion from the Provincial Civil Service) at any rate until the 50-50 cadre is reached. In pressing this principle they are willing to contemplate the maintenance of that ratio of recruitment after the 50-50 cadre is attained and to continue it until a cadre of 40-60 is reached in due course

According to the calculations which have been supplied to us, the foregoing rate of recruitment may be expected (assuming a future rate of retirement amongst officers of not less than 10 per cent above the normal) to produce a 50-50 cadre in about 15 years, by which time the whole situation will again have come under review by the second Statutory Commission.

36 This, in our opinion, might be accepted as a fair and prudent rate of progress. If, however, the increased percentage of retirements, which is anticipated by some of our Members as likely to obtain in future, should not be realised, or if any other abnormal circumstances should arise, such as shortage of recruits in any given year, we would leave it to the discretion of the Secretary of State to make such adjustments in the rate of recruitment as might be necessary to produce a 50-50 cadre in 15 years from the time of coming into operation of the scheme recommended above

We are unanimous in considering that an increase in the rate of promotion from the Provincial Civil Services is desirable, and we are of opinion that 20 per cent. of the recruits should be obtained from that source in future. At present, the total number of posts available for promoted officers has been fixed at a maximum of 16 per cent. of the total cadre, a proportion which so far has not been attained.

(ii) *Indian Police Service.*

37. The recruitment of Indians for the Indian Police Service was fixed in 1919 at 33 per cent. in Provinces other than the North-West Frontier Province and Burma. For the North-West Frontier Province the proportion is restricted to 10 per cent. and for Burma to 22 per cent., of which at least 15 should be Burmans. These ratios still obtain.

In determining the ratios of recruitment to be adopted in future, we have taken into account the special circumstances in the internal conditions of India which justify exceptional treatment of the Indian Police Service, and, after careful consideration of the facts and the evidence laid before us, our recommendation is that of every 100 recruits for this Service, 50 should be Europeans recruited directly, 30 should be Indians directly

recruited and the remaining 20 obtained by promotion from the Provincial Services. Assuming a future rate of retirement of not less than 10 per cent. above normal, the corresponding cadre of 50-50 would be reached in about 25 years from the date on which the new scheme of recruitment comes into operation. In this case also we would leave it to the discretion of the Secretary of State to make any necessary adjustment in the rate of recruitment to attain the above cadre

38. Of the 50 per cent which we have recommended as the future rate of Indian recruitment for the Indian Police Service, we have suggested that 30 per cent. should be obtained by open competition and 20 per cent. by promotion from the Provincial Service. The general trend of evidence is that at present the best type of Indian is not being obtained for the Indian Police Service; partly because of the inadequacy of the emoluments offered and partly because of the hardships of a career in the Police as compared with that in other branches of the Public Service. The new rates of pay which we have suggested will, we believe, go some way towards obviating the first of these defects, and discounting the latter by enhancing the general attractiveness of service in the Police. Moreover, we are not satisfied that all the available sources of supply have yet been tapped, while we are convinced that it is in the best interests of the State that young men of good family and of the requisite physical and mental qualifications should be induced to enter the Service. For these reasons, we have decided to keep open, and even to extend somewhat, the field of direct recruitment, as it is obvious that it is only by offering yearly a constant and fairly large number of appointments that the Police Service can become generally known as offering a suitable career to young Indians of the right stamp. As regards the Provincial Service officers, the present position is that they are allotted 11 per cent. of the 33 per cent of the Indian Police Service posts now being filled by recruitment from Indian sources. In proposing to raise this figure to 20 per cent. for the future, we feel that we are opening up considerably wider prospects of promotion to the selected Provincial Service officer, to whose fitness for the higher posts in the Department we have had convincing testimony. We recommend in addition that in any year in which the full quota of 30 per cent. of direct recruits is not obtained by open competition, the balance should be made good by the promotion of the requisite number of officers from the Provincial Service. Such additional appointments from the Provincial Service should be filled, so far as possible, by young officers of not more than five years' service, who have been directly recruited as Deputy Superintendents, and who have given proof of fitness for early advancement. On promotion to the Imperial Police such young officers should be placed at the bottom of the list of Assistant Superintendents.

(iii) *The Indian Forest Service.*

39 So far as this Service is concerned, we endorse the views expressed by the Islington Commission to the effect that every effort should be made to discover and recruit competent men in India and that it should be possible to meet the whole of the normal requirements of the Imperial branch in India within a reasonable period

Since that Commission reported, arrangements have, we are informed, been made which will ensure that the instruction and training available at the Forest Research Institute and College at Dehra Dun will be not inferior to that obtainable in other parts of the world. We further understand that instruction and training on the superior scale contemplated will be commenced in 1925. In Burma, also, a forestry course has been inaugurated at Rangoon University.

The percentage of direct recruitment of Indians for the Indian Forest Service has been fixed at 25 per cent for Burma and at 40 per cent for the rest of India, for a period of 5 years from 1921. This includes Indians recruited both in England and in India. In addition,  $12\frac{1}{2}$  per cent of the posts on the cadre are filled by promotion of officers from the Provincial Forest Services.

Taking all these factors into consideration, we recommend that recruitment should henceforward be in the ratio of 75 per cent. Indians and 25 per cent Europeans in those Provinces in which Forest Administration is reserved. As regards Bombay and Burma, we have already expressed our view that the future recruitment of officers to perform the duties and functions at present carried out by members of the Indian Forest Service should be left to the discretion of the Local Governments concerned.

(iv) *Indian Service of Engineers.*

40. We have considered this Service on the basis of the following three categories.—

- (i) That portion of the cadre working in the Roads and Buildings Branch in Provinces in which it has been separated from the cadre working in the Irrigation Branch,
- (ii) That portion of the same cadre working entirely in the Irrigation Branch in these Provinces, and
- (iii) A combined cadre working both in the Roads and Buildings and in the Irrigation Branches in Provinces in which no such separation has been made.

As regards (i), and similarly in respect of Provinces where such division may in future be made, we have already recommended that recruitment should henceforward be conducted on a provincial

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basis. The fixation of the proportion of Europeans and Indians to be recruited is, therefore, entirely a matter for the discretion of the Local Governments concerned.

As regards (ii), we recommend that future recruitment for the Irrigation Branch should be in the ratio of 10 per cent Europeans, 40 per cent directly recruited Indians and 20 per cent promotions from the Provincial Service.

With regard to (iii), we are of opinion that, in such circumstances, no change should be made in the existing ratios of recruitment. These are 50 per cent recruited in England and 50 per cent recruited in India. Of the 50 per cent recruited in England, 10 per cent must be Indians. For Burma the present percentage recruited in England is 67 instead of 50, but the Province falls into the first category.

(v) *The Indian Agricultural Service, the Indian Veterinary Service, the Indian Educational Service and the Indian Medical Service*

41 If our proposals are accepted regarding the provincialisation of the Agricultural, Veterinary, Educational and Medical Services, the Forest Service in Bombay and Burma and the Roads and Buildings Branch of the Service of Engineers in those Provinces in which a divided cadre has been arranged, it will rest entirely with the Local Governments [subject to paragraph 23 (d) in the case of the Medical Service] to determine the number of Europeans who may in future be recruited. In this matter the discretion of Local Governments must be unfettered, but we express the hope that Ministers, on the one hand, will still seek to obtain the co-operation of Europeans in these technical departments, and that qualified Europeans, on the other hand, may be no less willing to take service under Local Governments than they were, in the past, to take service under the Secretary of State.

(vi) *Central Services*

42 We have carefully reviewed the evidence regarding recruitment for the Central Services and make the following recommendations —

- (a) *Political Department*.—25 per cent. of the total number of officers recruited annually should be Indians, who should be obtained from the Indian Civil Service, the Provincial Civil Services, and from the Indian Army as at present.
- (b) *Imperial Customs Service*.—Recruitment should remain on the present basis, *i.e.*, not less than half the vacancies are to be filled by appointment in India of statutory natives of India.
- (c) *Superior Telegraph and Wireless Branch*.—Recruitment should be 25 per cent. in England and 75 per cent. in India.



(d) *State Railway Engineers—Superior Revenue Establishment, State Railways*—We understand from the evidence placed before us that the present rate of recruitment (taking an average over the departments as a whole) has been designed with a view to securing, as soon as practicable, a cadre of which, out of every 100 officers, 50 shall have been recruited in India and 50 in Europe. The date at which this cadre may be reached is, we are informed, dependent on the provision of adequate training facilities in India. Measures with that end in view were advocated by the Ishington Commission and we are informed that facilities have already been provided to a limited extent. We are strongly of opinion that the extension of the existing facilities should be pressed forward as expeditiously as possible in order that recruitment in India may be advanced as soon as practicable up to 75 per cent of the total number of vacancies in the railway departments as a whole, the remaining 25 per cent being recruited in England.

(e) As regards the remaining Central Services, recruitment should be at the discretion of the Government of India.

(f) In Services dealt with in sub-paragraphs (b), (c) and (d), recruitment should be by open competition.

## PART II.—SERVICE CONDITIONS.

## CHAPTER VI

## PAY AND ALLOWANCES.

43. One of the questions to which we have given the most anxious consideration is whether a basic pay lower than that which obtains at present for both Europeans and Indians should be fixed for future recruits, Europeans receiving an adequate addition thereto in the form of overseas pay. The arguments for adopting such a course are many and familiar, and have formed a perennial subject of controversy ever since the problem of Indianization became a political issue. A great volume of evidence, for and against, has been submitted to the Commission, and may perhaps be fairly summarised as revealing a sharp cleavage of opinion between the Services and the politicians. The former are almost unanimously opposed to a reduction of basic pay. They urge that it would bring about too marked a differentiation between the emoluments of British and Indian Civil Servants, working side by side and performing similar duties. Indian officers further contend that far from such a reduction being just, they ought to receive a substantial increase in their pay. Political opinion, on the other hand, is strongly in favour of the "market price" principle, and contends that, whilst a high rate of pay may be necessary to attract Europeans, the best Indian candidates could be secured on considerably lower terms. There is much reason in this contention, which is pressed with vigour as one of the main justifications for increased Indianization.

In the face of these divided, and possibly interested, counsels the Commission have endeavoured to view the needs of India from a detached and somewhat wider standpoint, and have come to the conclusion that it would be inadvisable, in present circumstances, to reduce the basic pay of the Services.

44 The existing scales of pay for the All-India Services were fixed in 1919-20 on the basis of the recommendations of the Ishington Commission. A great rise in prices had taken place since their report was signed. This was not ignored in recasting the scales, but no attempt was made to increase the rupee rates of pay to a figure which could justly be considered as taking full account of this rise in prices. At the time when the scales were being revised a new exchange policy intended to fix the value of the rupee at 2s was under consideration. It is clear that the belief that exchange would remain high was an important factor in fixing the rupee pay at rates which would otherwise have represented inadequate compensation for the rise in prices. We find strong support for this view in the answer given in the

House of Commons by the Under Secretary of State for India on 20th July, 1922 —

"The present scale of salaries was fixed with effect from 1st December, 1919. The official exchange value of the rupee was then 2s. At that time it was expected that the exchange value would continue about that figure, though it could not be definitely guaranteed." (Hansard, Vol. 156, p. 2292)

If exchange had remained at or about 2s we believe that no complaint could have been made regarding the scales of 1919-20. But the rupee fell from 2s 10½d in February, 1920, to below 1s. 4d. in February, 1921, and, except for short periods, remained below 1s. 4d. for the next two years. The effect on the financial resources of officers remitting large sums to England for the maintenance and education of their families, and consuming considerable quantities of imported articles the rupee price of which has greatly risen, was immediate and serious, and a flood of memorials followed protesting against the inadequacy of the new scales. The withdrawal of exchange compensation allowance from the Services which had received it up to the introduction of the new scales afforded another ground for complaint, as soon as the rupee fell below the rate at which exchange compensation allowance would have been admissible under the old rules.

45. Except for an inconsiderable increase in the pay of the Indian Police Service, made in 1921, the present scales of pay are substantially as they were fixed in 1920. They are set out in Appendix III.

In approaching the question of their adequacy we desire to call attention to the views expressed in the Islington Commission Report and in the Montagu-Chelmsford Report in this regard. The criterion adopted by the Islington Commission, for application to pay questions, was as follows. —

"Government should pay so much and so much only to their employees as is necessary to obtain recruits of the right stamp, and to maintain them in such a degree of comfort and dignity as will shield them from temptation and keep them efficient for the term of their service."

We are in full agreement with the principle thus expressed, and have made it the basis of our proposals. The authors of the Montagu-Chelmsford Report say (paragraph 318) —

"We are anxious that the present opportunity should be taken to do something towards restoring the real pay of the existing services to the level which proved attractive 20 years ago."

This recommendation was made six years ago, and it is one of the most insistent complaints of the Services that so little has been done to give effect to it.

46 In the course of our enquiry, the Services have placed before us carefully compiled statements of current income and expenditure. We could not examine these figures in such detail as to warrant us in accepting them as a sufficient basis for new scales of pay but they afford strong evidence that a considerable proportion of married officers now serving are either falling into debt or only avoid doing so by economies which may be detrimental to their contentment and efficiency.

We have obtained independent confirmation of this view from banks or financial houses in close and constant relation with members of the Services. We were informed that a great many officers, particularly in the early years of married life, are at present in debt to an extent which was unknown 20 years ago, and that this is in no sense due to extravagance. Insurance policies are pledged as security for advances to a much greater extent than formerly and in many cases their surrender value taken. In other words officers are mortgaging or sacrificing the provision made for their families in the event of their death and only escape from their difficulties, if at all, towards the end of their service. This is an undesirable state of affairs, from the public as well as the private point of view, and one which calls for early alleviation.

47 Arguments based upon statistical comparisons of prices must always be used with caution, but the following facts should, we think, have weight in considering the remuneration of the Services.

- (i) Such information as we have obtained as to the cost of living for a European in India in 1914 and in 1923 points to an increase of about 60 per cent. within that period.
- (ii) Simultaneously there has been a greatly increased drain in the matter of home remittances. Expenditure on the maintenance and education of children in England is perhaps the commonest and the most substantial item in this connection and a comparison between the fees charged by a representative group of Public Schools in 1923 and 1914 (taken from the Public Schools Year Book) shows an increase of over 50 per cent. The increase is more marked in the case of the less expensive schools, and the struggle of the average married officer to give his children an education not inferior to his own is undoubtedly severe.

It will be remembered that the scales in force for the All-India Services up to 1919 were considered by the Islington Commission to be in adequate in 1914 and we do not consider that the increases given in the former years were commensurate with the rise in prices before and after 1914. The present rates

of pay are therefore far below "the level which proved attractive 20 years ago"

48 We have made enquiries of a large number of commercial houses in India regarding the remuneration of their superior European staff, and particularly regarding improvements in such remuneration since 1914. The evidence we received was in most cases given under a pledge that it would be treated as confidential and we cannot therefore refer to it in detail. But, although the pay of their employees on joining was sometimes lower than that of the Civil Services, we found, generally speaking,

- (i) that increases amounting to 50 per cent, or even 75 per cent, had been given within the period mentioned,
- (ii) that employees whose education and training involved an expenditure of time and money very much less than those of the Civil Services might reasonably look forward to salaries comparing favourably with the general standard of the Service time scales, and that the rewards to exceptional men are out of all proportion to those attainable in Government service,
- (iii) that, apart from salaries, commercial houses of the better class in India add to the remuneration of their European employees in various ways which have no parallel in Government service. Bonuses are given in addition to pay and retiring bonuses in addition to pensions. In some cases pay and pension are given free of income tax. Substantial contributions are made to the provident funds of the employees. Remittance of a proportion of salary is allowed at rates well above the current rate of exchange. Free quarters, in some cases furnished quarters, are provided, or an allowance in lieu which has been raised substantially since 1914. Senior officers draw motor car allowances. Passages are provided at reasonable intervals for officers, and sometimes for their families.

It is not suggested that Government is in a position to treat its own employees in such a generous fashion, but the disparity of remuneration as between a commercial and an official career has become so conspicuous, and so discouraging to Civil Servants, that we feel something should be done without delay to restore contentment.

In dealing with this question we have borne constantly in mind the urgent need for economy in Indian administration, but after the most careful consideration we think that the improvement in emoluments set out in paragraphs 52 to 55 are absolutely necessary.

49 A striking and gratifying feature of the official representations which have been submitted to us by the various Service Associations and individual officers is their expression

of whole-hearted acceptance of the reforms and the spirit of the Government of India Act. They have stated, unreservedly, their anxiety to assist and play their part in the progress of India along the road to self-government. They have only pleaded that, so long as they are engaged in this task, they should be treated with justice and consideration and that their material conditions of service should be made fair and tolerable.

50. It has been represented to us almost unanimously by the Indian members of the Services, that high prices have equally affected them and that the necessity of maintaining a standard of living comparable to that of their European colleagues, apart from the special demands on account of their religious and social obligations which are peculiar to Indians, places them in a financial position no less embarrassing than that of European officers. It is partly on account of these representations that we have, in paragraph 43, recommended that the basic pay should not be lowered. At the same time, having regard to Indian public opinion as to the necessity of economising the cost of Public Services, we are not prepared to recommend an increase in their emoluments. We have, therefore, except in the case of the Indian Police Service, adopted a system which will meet the requirements mainly of European married officers, particularly those in the middle years of their service.

51. We do not propose, except in the cases dealt with in paragraphs 52 and 59, to revise the existing scales of basic pay recently fixed for the various Services, and confine our recommendations to the giving of relief in other and simpler ways. The system we have adopted is to improve the overseas pay in certain years of service and to make it remittable at a favourable rate. In addition, we recommend the grant of other benefits as set out in paragraphs 63, 92 and 93.

We accordingly make the following proposals for the All-India Services, including, of course, all present members of the All-India Services employed in the transferred field of administration.

#### *Indian Police Pay*

52. The case of the Police Service is peculiar. The conditions have changed and whilst, on the one hand, more specialised training is now necessary to equip the present-day police officer for the efficient discharge of his duties, his responsibilities, on the other hand, have become more onerous and arduous and require greater intelligence and resource. With a view, therefore, to making the service more attractive, we are prepared to treat it as an exception and to improve its basic pay. But to avoid disturbing the relative position of the Service to other Services, we have not altered the maximum basic pay. What we propose, in order to make the initial basic pay more attractive to the Indian youths of the proper class, is to raise it slightly, without

altering, in the first four years, the total emoluments which are considered to be sufficiently attractive for the European recruit.

The following is the scale we recommend.—

Year.	RUPEES PER MENSEM.			
	<i>Inferior</i>		<i>Superior</i>	
	<i>Present</i>	<i>Proposed.</i>	<i>Present.</i>	<i>Proposed.</i>
	Rs	Rs.	Rs.	Rs.
1	325	350	—	—
2	350	375	—	—
3	375	400	—	—
4	400	425	—	—
5	425	450	—	—
6	450	475	600	650
7	475	500	625	675
8	500	525	650	700
9	525	550	675	725
10	550	575	700	750
11	575	600	725	800
12	600	625	750	825
13	625	650	775	850
14	650	675	800	900
15	675	700	825	925
16	—	—	850	950
17	—	—	900	1,000
18	—	—	950	1,025
19	—	—	1,000	1,050
20	—	—	1,050	1,075
21	—	—	1,100	1,100
22	—	—	1,150	1,150
23	—	—	1,200	1,200
24	—	—	1,250	1,250
25	—	—	1,300	1,300
26	—	—	1,350	1,350
Selection	—	—	1,450	1,450

*Overseas Pay—(General).*

53. The present rates of overseas pay are Rs 150, Rs 200 and Rs 250, except in the Indian Police Service, where a lower rate of Rs. 125 is provided in the first three years in consequence of the earlier age at which the recruit enters the service. In granting relief in overseas pay, we have adopted the rule of not varying the stages at which the overseas pay rises under the existing orders from Rs. 150 to Rs 200 in the different Services. The number of years of service after which the rate of overseas pay rises from one figure to another, is different for different Services, and we do not wish to go behind the reasons which led Government to lay down these differences. But we are of opinion that about the time when the rate rises from Rs 150 to Rs. 200, the European officer has generally married and is beginning to

be faced by heavier expenses. We have, therefore, decided to recommend that the rise from Rs. 150 should be to Rs. 250 and not to Rs. 200. In other words we propose to abolish the Rs. 200 rate, and to substitute for it the rate of Rs. 250 in the years in which it is now prescribed according to the scales of pay now in force.

The second addition to overseas pay which we recommend is in the latter half of an officer's service. We propose that from the 12th year onwards, the rate of overseas pay of all Services should be raised from Rs. 250 to Rs. 300, except in the case of the Indian Police Service where, owing to recruitment at an earlier age, the increase should come three years later, i.e., from the 15th year onwards.

The rates of overseas pay for the various Services, according to our proposals, will thus be:—

*Indian Service of Engineers.*

For the First 7 years, Rs. 150,  
for the next 4 years, Rs. 250

*Indian Civil Service and Indian Forest Service.*

For the first 6 years, Rs. 150,  
for the next 5 years, Rs. 250

*Indian Educational Service, Indian Agricultural Service and Indian Veterinary Service*

For the first 5 years, Rs. 150,  
for the next 6 years, Rs. 250

In the 12th year, and thereafter up to the end of the time scale, in all the above mentioned Services, Rs. 300

In the Indian Medical Service, Captains with more than three years' service, who now get Rs. 200, will be entitled to Rs. 250, while Majors with not less than 11 years' service, and Lieutenant-Colonels, will get Rs. 300 instead of Rs. 250.

In the Indian Police Service, in which recruits are, on the average, 3 years younger than in the other Services, and in which the basic pay is to be raised for reasons already given, the rupee rates of overseas pay should be as under:—

In the first three years	..	..	..	Rs. 100
In the fourth year	..	..	..	Rs. 125
In the next four years	..	..	..	Rs. 150
In the next six years	..	..	..	Rs. 250
In the 15th year and thereafter to the end of the time scale	..	..	..	Rs. 300

*Remittance Privileges.—(General)*

54. In all Services, the Police included, from the 5th year of service onwards every officer of non-Asiatic domicile should be permitted to remit his overseas pay as above proposed through the High Commissioner at a rate of 2s. to the rupee, or to draw it in London in sterling at that rate. Indian members of the Services



who are already entitled to overseas pay, should draw the increase which we propose in such overseas pay but should only be entitled to the remittance privilege if they can satisfy the High Commissioner that they have wives or children in Europe

Officers promoted to the selection grade in the Indian Police Service, the Indian Medical Service, the Indian Agricultural Service, the Indian Veterinary Service, and to the senior and junior selection grades in the Indian Educational Service should draw the maximum overseas pay and also receive the remittance privilege described above

We have set out in Appendix III tables showing the present and the proposed emoluments of these various Services.

#### *Administrative Posts*

55 These proposals involve some adjustment of the pay of officers in lower administrative posts. The pay of Deputy Inspectors-General of Police, Superintending Engineers in the Indian Service of Engineers, and Conservators of Forests in the Indian Forest Service, should be fixed at Rs 2,150, instead of the present incremental pay of Rs 1,750—100—2,150, but in that case they would receive no remittance benefit

With regard to administrative posts, above the time scale, other than those referred to in this paragraph, we have not found it possible to come to an agreement as to the nature and extent, if any, of the improvement in emoluments which should be made. The English Members, on the one hand, regard it as essential that the financial positions of such officers should be substantially improved. They have therefore submitted their proposals in this connection in a separate note (Appendix IV) The Indian Members, on the other hand, are opposed to any recommendations in this direction and have similarly recorded their views in Appendix IV.

#### *Women's Branch, I. E. S*

56 The Women's Branch of the Indian Educational Service is paid on a lower scale than the other All-India Services. We think that they have a claim to some improvement in their emoluments but not necessarily to the same extent as the concessions recommended above for the All-India Services generally.

We would leave it to the Government of India to give special consideration to their case and to make the necessary recommendations to the Secretary of State.

#### *Central Services.*

57. We consider that in principle the concessions proposed for members of the All-India Services should *mutatis mutandis* be granted to all European officers in the Central Services appointed by the Secretary of State, and to such other European officers, who, although appointed by the Government of India, were so appointed on the basis of a non-Asiatic domicile.

*Judicial Pay in the Indian Civil Service.*

58 Officers appointed to the Judicial Branch of the Indian Civil Service have for many years received additional pay. Since the reorganisation of 1919 it has been fixed at Rs. 150 a month. This advantage in pay was given in view of the fact that, in the past, the general attractions of judicial work were inferior to those on the executive side, and consequently a higher rate of pay had to be offered to induce men to enter the Judicial Branch voluntarily. We do not consider that this consideration any longer applies. The duties of officers on the executive side have become so onerous that the judicial side has by comparison become the more attractive of the two, and we see no reason why any special inducement should be offered to officers to enter it.

We do not propose that the present Judicial Pay should be withdrawn from any officers who elected for the Judicial Branch and was appointed to it between the reorganisation of the pay scale in 1919 and the date of our Report, or from any officer who was receiving the judicial allowance as a permanent element in his salary at the date of our Report. We recommend, however, that no officer appointed to the Judicial Branch after the latter date should receive in respect of his service thereon anything more than the pay appropriate to his length of service in the time scale which we have recommended above for the Indian Civil Service generally. We have been informed that in Madras the Judicial Pay, which under the rules in force at the time was due to Provincial Service officers holding listed judicial posts, has been withheld from them because, unlike the Judicial Pay of officers of the Indian Civil Service, it was subject to the vote of the Legislative Council which refused to vote it. We consider that the refusal to provide the necessary funds constitutes an unfair discrimination against this particular class of officer and that their grievance should be met.

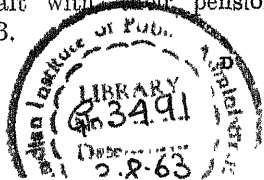
*Technical Pay in the Indian Service of Engineers and Superior Telegraph Branch.*

59. When the pay of the Superior Services was revised in 1919-20 the Secretary of State, in the case of the Indian Service of Engineers and the Superior Telegraph Branch, not only differentiated by means of overseas pay between officers of European and Indian domicile, but made a further differentiation by means of technical pay between officers trained in Europe and those trained in India. This technical pay amounts to only Rs. 75 a month, but it has given rise to very widespread dissatisfaction. The principle underlying the grant of overseas pay is well understood by all concerned, but the introduction of technical pay has been regarded as creating an invidious distinction and as reflecting upon the technical qualification of officers recruited in

India We understand that the decision was based on the view that India does not at present afford the same facilities for technical training as are obtainable in Europe and that the engineer recruited in Europe must for the present be held to possess a higher market value than an engineer recruited in India. This distinction does not appear to us justifiable, having regard to the number of distinguished engineers who have received their training in India at Roorkee and elsewhere. In any case the officers of the Service, whether recruited in, Europe, or in India, carry out the same work, and we see no reason why they should not receive the same pay. We accordingly recommend that the technical pay referred to above should be reckoned as part of the basic pay of the Service, and that officers who received their training at the Indian engineering colleges, whether they be Indians or Europeans, should, except for overseas pay, receive the same emoluments as officers trained in Europe. The scale of basic pay for the Indian Service of Engineers set out in Appendix III is drawn up in accordance with this conclusion.

*Pay of Military Officers of the Political Department*

60 The Political Department of the Government of India is composed partly of officers of the Indian Civil Service and partly of Indian Army officers. After ten years' service in the Department the latter are placed on a ' supernumerary list ' and are no longer recallable to military duty. Their career in the Department is to all intents and purposes a civil one, and their duties and responsibilities are the same as those of their civilian colleagues. There is, however, a differentiation in the matter of pay in favour of the civilians. From the 8th till the 22nd year of service the latter receive a personal allowance over and above the pay which they draw in common with the military officers, and this allowance amounts on the average to Rs 200 a month. The military officers in the Department have represented to us that this differentiation is inequitable. We think this contention is justified. Our view is strengthened by the practical consideration that the Political Department does not, as matters stand, offer sufficient attraction to military officers of the type required for its difficult and exacting duties. We are informed that whereas formerly the number of applicants was far in excess of the vacancies, at present great difficulty is experienced in securing suitable officers. It has been the invariable rule in the case of military officers serving with Indian Civil Service officers in mixed " Commissions," such as exist in the Punjab, the Central Provinces, Burma, and Assam, that all draw equal pay, and we can see no valid reason for making an exception in the case of military officers of the Political Department. We recommend, therefore, that in future they should receive the same pay as their Civilian colleagues. We have dealt with their pension grievance in Chapter VIII, paragraph 73.



## CHAPTER VII.

## PASSAGES

62. Hitherto Government has not provided passages for officers of the Services or their families when traveling to Europe on leave. The principle adopted has been that emoluments should be fixed on a scale sufficient to cover the cost of passages and that the officer should be left to make his own arrangements.

The evidence laid before us showed that the inadequacy of the existing rates of pay, combined with the great rise in shipping rates in recent years, has made it increasingly difficult for officers to meet passage charges. It is true that the Government now makes advances free of interest to cover the cost of passages, but these are repayable by instalments after the officer's return to duty, and in a large proportion of cases the married officer, especially, is confronted with the alternative of having either to incur a considerable burden of debt, or to postpone taking leave to the detriment of the health of himself and his family. In such cases the officer's efficiency must suffer, and we feel strongly that the granting of some relief in this regard would be in the interests of Government as well as of the officer concerned.

63. After reviewing the whole subject, we have decided to recommend that passages on the following scale should be granted to all officers of non-Asiatic domicile in the Superior Civil Services.

The officer himself should receive 4 return passages during his service (of the standard of P. & O first class "B"), and, when married, his wife should be entitled to as many return passages as may be to his credit. In addition one single passage should be granted for each child.

The application of this scheme to officers already in the service presents certain difficulties, but we suggest the following scale, based upon the length of the officer's service:—

<i>Officer's service at the date when the scheme comes into effect</i>	<i>Number of Return Passages for the Officer and his wife.</i>
Less than 7 years .. ..	4
Over 7 and less than 14 years .. ..	3
Over 14 and less than 21 years .. ..	2
21 years and over .. ..	1
With a single passage for each child.	

The family of an officer who dies in service should be repatriated at Government expense, even though he has exhausted the full number of passages admissible to himself and his family under these proposals.

In the face of these circumstances, we propose the following solution which, in our opinion, obviates, so far at least as passages are concerned, the difficulties above referred to

65. In arriving at our recommendations with regard to the new rates of overseas pay and remittance privilege, we have estimated that, averaging over a British officer's whole service, the money value of the passage concession might be taken as Rs 50 a month, and, in our financial calculations, we have proceeded throughout on that assumption

We therefore recommend .---

- (a) That an addition of Rs 50, or such amount as may from time to time be deemed sufficient by Government for the purpose of financing the concession laid down in paragraph 63, should be credited monthly to the pay of all British members of the Superior Civil Services who are, in accordance with our recommendations, entitled to the grant of free passages. In the case of Indian officers who are entitled to passage concessions, probably Rs 25 a month would be sufficient. The said sums should be deducted at the source by the Accountant-General and transferred to a special "Passage Fund" in which the contributions thus made by every officer would be allowed to accumulate. This fund, which should be kept separate from all other Government accounts, should be administered by the Government concerned and managed in such a manner as they may deem fit. In particular they should have power to appropriate from the total of the fund any sum which might from time to time constitute an available surplus after making the necessary provision for the passage charges. No officer would have any claim to any balance remaining in the fund after payment of the passages to which he was entitled.
- (b) When an officer requires funds to defray the expenses of the passages to which he is entitled under our recommendations in paragraph 63 he should apply to the Government concerned, or the official appointed by it for the purpose, and on proving that he is so entitled, and on production of the Steamship Company's invoice for the appropriate tickets, the Accountant-General should either pay the Company direct, or issue to the officer the equivalent amount to enable him to pay the charges himself.
- (c) The amount mentioned in clause (a) should not count towards pension or leave or furlough allowance of the officer concerned.

## CHAPTER VIII.

## PENSIONS

66 Officers of the Services in India ordinarily retire at an age when heavy commitments have still to be met for the upbringing and education of children. Hence the Services, and particularly married officers, regard the adequacy of their pensions as no less important than the adequacy of their pay.

The representatives of the Services have pressed upon our attention that their pensions are inadequate, especially those of the Uncovenanted Services. They base their case, in the main, on the rise in the cost of living including house accommodation, in India and in England since the war, and on the increase in the expenses of education. They also urge the following considerations —

- (a) That the existing pension-scales bear little or no relation to the scales of pay, with the result that an officer who may have been in receipt of emoluments which enabled him to live in reasonable comfort finds himself, on retirement, reduced to an income on which he can only subsist with difficulty. This point has been similarly pressed by Indian members of the Uncovenanted Services.
- (b) That, although the present scales were based on the recommendations of a Royal Commission which reported so recently as 1915, the revision which was actually effected in 1919, was made before the great rise of prices in India, whilst any advantages then accruing to the English members of the Services from the prevailing high rate of exchange have disappeared.
- (c) That bonus additions to pensions have been awarded to the Home Civil Services to compensate for the post-war rise in prices.
- (d) That the pensions of civil officers in certain of the Crown Colonies have recently been substantially and permanently increased for the same reason.

(i) *Indian Civil Service.*

67 Under the present rules, the members of the Indian Civil Service, after 25 years, of which 21 years must have been "active" service, are entitled to a pension of Rs 10,666½, subject to a minimum of £1,000 if drawn in England. Towards this pension all members of the service, except Members of Council, were required to contribute 4 per cent of their pay until the year 1919, when, in accordance with the recommendation of the Islington Commission, this system was abolished and Government assumed the charge of the full pension of £1,000 per annum.

A deduction of 4 per cent is still made from pay, but the monies so accruing are credited to a provident fund, for the benefit of the officers concerned on their retirement.

It has been calculated that, under the old system, officers, during the full period of their service, contributed a sum which represented at the time of retirement £250 per annum towards their own pensions. The indirect result of the change effected in 1919 has, therefore, been to increase the amount of pension which Government provides. This increase is quite small in the case of those retiring within a few years of the introduction of the change, but it grows every year until those who retire some 20 years hence will receive the full £250 benefit. We do not feel able, in all the circumstances, to recommend any further increase.

Some concession with regard to this 4 per cent contribution has recently been made in favour of those officers who would otherwise have derived little advantage from the change and we have been pressed to recommend further concessions. After very careful consideration, we have come to the conclusion that the difficulties in the way of reopening this question are insuperable.

68. The cases of Members of Council and Governors of Provinces call for special consideration. The Islington Commission recommended that a special pension of £1,200 per annum should be sanctioned for Lieutenant-Governors of Provinces, but this recommendation was not adopted. The reformed system of Government has, however, invested the holders of these appointments with new and far-reaching responsibilities, and it is, in our opinion, but just and equitable that this fact should be recognised. We therefore recommend that members of the Indian Civil Service who attain to the rank of Member of Council should be given an increase of pension, at the rate of £50 per annum for each year of their service, as such, up to a maximum pension of £1,250. We further recommend that those who serve as Governors of Provinces should similarly be given an additional £100 for each year of service, as such, up to a maximum pension of £1,500 per annum.

69. We have also examined a proposal which has been placed before us that Indian Civil Service "Invalid Annuities" should be calculated on the same basis as proportionate pensions. This proposal involves certain assumptions which are, on the whole, undesirable, and we are unable to support it. We therefore recommend that no change should be made in the existing scale of Invalid Annuities, so far as the Indian Civil Service is concerned. We deal separately, in paragraph 72, with the question of Invalid Annuities for the Uncovenanted Services.

## CHAPTER VIII

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- (a) That the existing pension scales bear little or no relation to the scales of pay, with the result that an officer who may have been in receipt of emoluments which enabled him to live in reasonable comfort finds himself, on retirement, reduced to an income on which he can only subsist with difficulty. This point has been singularly pressed by Indian members of the Uncovenanted Services.
- (b) That, although the present scales were based on the recommendations of a Royal Commission which reported so recently as 1915, the revision which was actually effected in 1919 was made before the great rise of prices in India, whilst any advantages then accruing to the English members of the Services from the prevailing high rate of exchange have disappeared.
- (c) That bonus additions to pensions have been awarded to the Home Civil Services to compensate for the post-war rise in prices.
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A deduction of 1 per cent is still made from pay, but the monies so accruing are credited to a provident fund, for the benefit of the officers concerned on their retirement.

It has been calculated that, under the old system, officers, during the full period of their service, contributed a sum which represented at the time of retirement £250 per annum towards their own pensions. The indirect result of the change effected in 1919 has, therefore, been to increase the amount of pension which Government provides. This increase is quite small in the case of those retiring within a few years of the introduction of the change, but it grows every year until those who retire some 20 years hence will receive the full £250 benefit. We do not feel able, in all the circumstances, to recommend any further increase.

Some concession with regard to this 1 per cent contribution has recently been made in favour of those officers who would otherwise have derived little advantage from the change, and we have been pressed to recommend further concessions. After very careful consideration, we have come to the conclusion that the difficulties in the way of reopening this question are insuperable.

68 The cases of Members of Council and Governors of Provinces call for special consideration. The Ishington Commission recommended that a special pension of £1,200 per annum should be sanctioned for Lieutenant-Governors of Provinces, but this recommendation was not adopted. The reformed system of Government has, however, invested the holders of these appointments with new and far-reaching responsibilities, and it is, in our opinion, but just and equitable that this fact should be recognised. We therefore recommend that members of the Indian Civil Service who attain to the rank of Member of Council should be given an increase of pension, at the rate of £50 per annum for each year of their service, as such, up to a maximum pension of £1,250. We further recommend that those who serve as Governors of Provinces should similarly be given an additional £100 for each year of service, as such, up to a maximum pension of £1,500 per annum.

69 We have also examined a proposal which has been placed before us that Indian Civil Service "Invalid Annuities" should be calculated on the same basis as proportionate pensions. This proposal involves certain assumptions which are, on the whole, undesirable, and we are unable to support it. We therefore recommend that no change should be made in the existing scale of Invalid Annuities, so far as the Indian Civil Service is concerned. We deal separately, in paragraph 72, with the question of Invalid Annuities for the Uncovenanted Services.

*(ii) Uncovenanted Services*

70 In the case of these Services some increase of their pensions has long been recognised as overdue, and it was recommended by the MacDonnell Committee that the ordinary pension after 25 years' service should be raised to Rs. 6,000. We concur in this view that the existing rates are unduly low, having regard to the status of the officers concerned, and we recommend the following permanent rates of pension —

	<i>Present rate.</i>	<i>Proposed rate</i>
(a) After 25 years' service.	Rs 5,000, equivalent at the privilege rate of 1s 9d the rupee to £437 10s, and rising by Rs 200 per annum to	Rs. 6,000, equivalent at the privilege rate of 1s 9d. the rupee to £525 and rising by Rs 200 per annum to
(b) After 30 years' service	Rs 6,000, equivalent at the privilege rate of 1s 9d the rupee to £525	Rs 7,000, equivalent at the privilege rate of 1s. 9d. the rupee to £612 10s.
(c) Additional pensions, lower grade.	Rs. 300 additional to pension due on the ordinary scale for each year of service in the grade up to a maximum of Rs. 7,500 per annum, equivalent at the privilege rate of 1s 9d the rupee to £656 5s.	Rs 300 additional to pension due on the ordinary scale for each year of service in the grade up to a maximum of Rs 8,500 per annum, equivalent at the privilege rate of 1s 9d the rupee to £743 15s
(d) Additional pensions, upper grade.	Rs 500 additional to pension due on the ordinary scale for each year of service in the grade up to a maximum of Rs 8,500 per annum, equivalent at the privilege rate of 1s 9d the rupee to £743 15s	Rs 500 additional to pension due on the ordinary scale for each year of service in the grade up to a maximum of Rs 9,500 per annum, equivalent at the privilege rate of 1s. 9d. the rupee to £831 5s

71 Numerous representations have reached us from retired officers of various Uncovenanted Services, pressing that if any increase of pension is granted to officers still serving, their claims also shall receive consideration. We have already laid down the principle, in other connections, that we are not prepared to make financial recommendations of a retrospective character, and we therefore regret our inability to reopen the case of these officers.

72 With regard to the present scales of invalid annuities for the superior Uncovenanted Services we are of opinion that they should be improved. We recommend that the limit of ten years before which an invalid annuity can be earned should be reduced

to seven and that the existing scales should be raised as shown in the following table --

Completed Years of Qualifying Service		Uncovenanted Services Invalid Gratuity or Pension		Maximum at Rs 9d. to the nagdee	
1-6	Gratuity of 1 month's pay for each completed year of service			Rs	
7	Pension of 7-sixtieths of average emoluments			2,000	175
8	ditto 8-sixtieths ditto			2,350	205
9	ditto 9-sixtieths ditto			2,700	236
10	ditto 10-sixtieths ditto			3,000	262
11	ditto 11-sixtieths ditto			3,200	280
12	ditto 12-sixtieths ditto			3,400	297
13	ditto 13-sixtieths ditto			3,600	315
14	ditto 14-sixtieths ditto			3,800	332
15	ditto 15-sixtieths ditto			4,000	350
16	ditto 16-sixtieths ditto			4,200	367
17	ditto 17-sixtieths ditto			4,400	385
18	ditto 18-sixtieths ditto			4,600	402
19	ditto 19-sixtieths ditto			4,800	420
20	ditto 20-sixtieths ditto			5,000	437
21	ditto 21-sixtieths ditto			5,200	455
22	ditto 22-sixtieths ditto			5,400	472
23	ditto 23-sixtieths ditto			5,600	490
24	ditto 24-sixtieths ditto			5,800	507
25	ditto 30-sixtieths ditto			6,000	525
26				6,200	542
27				6,400	560
28				6,600	577
29				6,800	595

### (iii) Miscellaneous Appointments and Services

(a) *Military officers serving in the Political Department or in other civil departments whose pensions are governed by the same rules as in the Political Department*

73 The existing rule under which officers holding certain qualifying posts *continuously* for three years earn the maximum pension (£1,000 or £900), as the case may be, does not in practice work equitably. Not only may it happen that the age limit of 55 comes into operation before the qualifying service is completed, but a brief period of reversion will disqualify an officer who may in fact have held one of these appointments for a total period exceeding that prescribed.

The difficulty could be met by applying the ordinary rules which govern the grant of similar additional pensions in the Civil Uncovenanted Services. There the principle is laid down that an additional pension is given for each completed year of qualifying service, and all service qualifies, whether continuous or not.

We therefore recommend that the existing rule requiring the qualifying service to be continuous should be revoked, and that the rule applying to the additional pensions of the Uncovenanted Services should be substituted.

We recommend further that each completed year of qualifying service should earn one-third of the additional pension appropriate to the post.

(b) *Women's Educational Service*

This is one of the Uncovenanted All-India Services appointed by the Secretary of State. The benefits which we have recommended for these Services generally will therefore be applicable to this case.

(c) *Chaplains*

At present Chaplains obtain a pension of £180 per annum after 23 years' service. Until the year 1920 their pension was £365 per annum. When this revision was made it was intended that the pensions of Chaplains should approximate to those of the Uncovenanted Services. Actually the rates have been appreciably higher, owing to the accident that the pensions of Chaplains was fixed in sterling at a time when the exchange happened to stand at 2s. to the rupee. We see no sufficient reason why Chaplains should enjoy more favourable treatment than officers of the Uncovenanted Services. If our recommendation regarding the pensions of the latter be accepted officers of those Services will receive a sterling pension of £525 per annum after 25 years' service or of £190 per annum after 23 years' service. This is practically the same as the pension of £180 per annum which Chaplains obtain after 23 years' service and we do not consider that there is any case for further improvement.

(d) *Judges of the High Courts*

At present the pensions of High Court Judges are fixed at £1,200 per annum after 11½ years' service in that capacity. We are not prepared to recommend any increase in their rate of pension, which, in view of the comparatively short period of service after which it can be earned, we consider to be adequate.

## CHAPTER IX.

### PROPORTIONATE PENSIONS, PROVIDENT FUNDS, AND FAMILY PENSION FUNDS.

74. Numerous representations have been made to us in favour of modifying the present rules governing the grant of proportionate retiring pensions. Of these representations, the more important are —

- (1) *That compensation for loss of career should be given in addition to proportionate pension in cases other than of compulsory retirement.*

We are unable to support this claim. In our view, the present rules governing the grant of proportionate pension are sufficiently generous for those who are not ready and willing to serve under the reformed system of government.

- (ii) *That the scheme for proportionate pensions should be extended to those officers who were recruited in 1919 and were prepared to come out to India before January 1, 1920, but who, for various reasons, and through no fault of their own, did not in fact arrive until after that date.*

We consider that these officers have a good claim for favourable consideration, and we recommend that the privilege of retiring on proportionate pension should be extended to them.

- (iii) *That the present rule under which the previous war service of such officers does not count as service for the purpose of proportionate pension is a violation of the undertaking that no officer should be prejudiced by season of service during the war with the armed forces of the Crown.*

We are doubtful whether this grievance can be sustained, and are unable to recommend any change in the existing rule.

- (iv) *That the privilege of retirement on proportionate pension should be extended to members of the Central Services.*

This claim has been urged with great persistence, but we are unable to support it. Officers in the Central Services are obviously in a different position from members of the All-India Services employed under Local Governments. The Government of India may possibly be more susceptible than formerly to political pressure but constitutionally its position vis-à-vis these Services remains practically unchanged.

- (v) *That the right to retire on proportionate pension should be extended indefinitely.*

We have considered this claim, and recommend that in the case of all future British recruits to the All-India Services a rule should be made, and a clause inserted in their contracts to the like effect, that, if and when the field of service for which they have been recruited is transferred, it shall be open to them either —

- (a) to retain their All-India status, or,  
(b) to waive their contracts with the Secretary of State and to enter into new contracts with the Local Governments concerned, or,

(c) to retire on proportionate pension, the option to remain open for one year from the date of transfer. We further recommend that existing members of the All-India Services now operating in reserved fields, who do not make use of their present privilege to retire on proportionate pension after action has been taken on the Report of the Statutory Commission of 1929, should be allowed to exercise the option above specified if and when the field in which their Service operates is transferred. This concession should also be extended to all officers who joined the Services since 1st January, 1920.

(vi) *That the existing rule should be revoked under which officers of the Indian Medical Service with less than 17 years' service are not eligible to retire on proportionate pension unless the military authorities are unable or unwilling to absorb them in military employment.*

We are unable to recommend any change in the existing rule in this respect.

#### *Extraordinary Pensions.*

75 We recommend that a new rule should be framed or the existing rule modified, to cover the case of officers who lose their lives or are seriously injured, as an act of reprisal connected with their holding of a particular office, or resulting from action taken by them in their official capacity, even in cases when they are not actually engaged at the moment in the execution of their duty.

#### *Provident Funds*

76 We are of opinion that for all future recruits the advisability of substituting provident funds for the present system of pensions should be most carefully considered. It is not practicable for us, within the time at our disposal, to work out a detailed scheme of provident funds for the various Services, but we recommend that the feasibility of establishing such funds in lieu of pensions should be thoroughly investigated, and, if the result prove acceptable to the Services and practicable from the standpoint of the finances of India, the change should be made without delay.

For the existing members of the Services the substitution of a Provident Fund for the present pension system presents obvious difficulties. This, in our view, is a matter which should be left for expert investigation. We have reason to believe that Indian members of the Services would generally prefer a provident fund to the existing pension system.

*Family Pension Funds.*

77 There is a general consensus of opinion in favour of the establishment of family pension funds for the remaining All-India Services on the lines of that already existing for the Indian Civil Service. The Islington Commission recognised the necessity for a family pension fund for services other than the Indian Civil Service and it is understood that a scheme is at present being worked out by actuarial experts and that the requisite material has already been collected.

It is not apparent why the initiation of such a scheme has been so long delayed, and we are of opinion that steps should be taken to introduce it as soon as practicable.

78 With regard to the family pension fund of the Indian Civil Service, it is urged by members of the service that the fund is not being managed as advantageously as it might be, from the point of view of the subscribers, who, it is alleged, are not receiving the full benefits to which they claim to be entitled, having regard to the admittedly prosperous financial position of the fund.

In view of the widespread uneasiness on this point which seems to exist in Service circles, we are of opinion that an independent actuarial investigation into the position of the fund, and the possibility of increasing the benefits derivable therefrom, should be undertaken, and that the result of this investigation should be communicated to all subscribers as soon as possible.

There is also force in the contention of several witnesses that, as the fund consists almost entirely of the subscribers' own money, they should be allowed to participate in its management. We recommend, therefore, that an independent Board, consisting of a retired member of the Service, a representative of the India Office, and an independent actuary, should be constituted to administer the fund, subject to the final control and supervision of the Secretary of State.

It has further been represented to us that, owing to the difference in social customs and in vital statistics between Indians and Europeans, it would be advisable to close the existing fund as soon as practicable and to open a new fund divided into Indian and European branches. We agree with this view. We understand that this question is already engaging the consideration of the Government of India and of the Secretary of State, and venture to hope that an early decision will be reached.

## CHAPTER X.

## SAFEGUARDS

*General.*

79. It was only to be expected that the constitutional changes effected by the Government of India Act (1919) would lead to uneasiness among members of the Services with regard to the effect of these changes on the conditions under which they had previously

served. We were not surprised, therefore, to find in the evidence of the Services generally a widespread apprehension regarding the security of their position in various respects. Some of it was based on hypothetical rather than on actual conditions, but there are certain points on which we think it desirable that safeguards should be provided. It may not be necessary ever to involve them, but their effect on the contentment, and therefore on the efficiency, of the Services will be none the less on that account.

One particular apprehension by which the Service showed themselves to be specially affected was with regard to the results which might follow if the control of the All-India Services were delegated by the Secretary of State to the Government of India. We have recommended in paragraph 13 that the Secretary of State should, for the present, retain his control in this respect.

80 It has also been represented to us that an officer's pay, his prospects, and consequently his pension, may be affected by disciplinary action on the part of a Local Government, or by unfair discrimination against him in matters of promotion or selection for higher appointments, and that the right of appeal to the Governor in such matters is prejudiced by the fact that the Governor himself has been a party to the order appealed against. How far there is good ground for apprehension in this matter we are not in a position to say, but we have made provision with regard to it in our proposals in Part I, Chapter IV, on the functions of the statutory Public Service Commission. Their effect is to secure the investigation by a quasi-judicial body, removed from all political associations, of complaints regarding any orders which materially affect an officer's position.

#### *"Existing or Accruing Rights"*

81 We have received a considerable body of representations arising out of the interpretation placed by the Law Officers of the Crown on the phrase "existing or accruing rights" in the proviso to section 96B (2) of the Government of India Act. This provides that "every person appointed before the commencement of the Government of India Act, 1919, by the Secretary of State in Council to the Civil Service of the Crown in India shall retain all his existing or accruing rights, or shall receive such compensation for the loss of any of them as the Secretary of State in Council may consider just and equitable."

The question has been referred to us by the Secretary of State in the circumstances set out in the Despatch which follows:—

"26th April, 1923.

"My Lord, In Your Excellency's Government's Despatch in the Home Department, No. 10, dated 29th June last, you requested me to obtain an authoritative opinion as to the meaning to be attached to the expression 'existing or



accruing rights' in Section 96B (2) of the Government of India Act. I considered your request in Council, and agreed that it was eminently desirable, from the point of view both of my own responsibilities and of the rights of the Officers, that no uncertainty or misunderstanding should prevail as to the legal position created by this section. I accordingly referred the matter for the opinion of the Law Officers of the Crown. In view of the notorious difficulty of obtaining legal opinion upon questions which do not present a perfectly concrete issue and of the wide generality of the terms of the section, I felt bound to confine the case presented to the Law Officers to the comparatively narrow issue raised in the memorial from the Central Officers and Bearer Association of Government Servants which accompanied your Despatch. The opinion which I have obtained cannot therefore be regarded as an exhaustive interpretation of the section, and even on the case as presented to them the Law Officers gave their opinion subject to a reservation as to the difficulty of giving particular answers to general questions.

2 I am advised that the words 'accruing rights' in Section 96B (2) mean all rights to which members of the Civil Services are entitled, whether by statute, or by rule having statutory force, or by regulation in force at the time of their entry into service. They do not, however, include prospects of promotion, except in cases where the promotion is no more than advancement by seniority to increased pay, as in the case of the various appointments borne upon the ordinary lists of time-scales of pay. In particular, they do not apply to general expectations of possible appointment to offices, such as those of Commissioner of a Division, which are not included in the ordinary time-scale lists, and the filling of which involves selection by merit. I am advised accordingly that the abolition of such appointments would give rise to no claims to compensation except to persons who were actually holding them at the time of their abolition. I am further advised that no method of filling such appointments which is not inconsistent with the Statute, even though it reduced the expectations of members of a particular service, would give rise to any claim to compensation on the part of any person whose actual tenure of an appointment was not thereby affected. Lastly, I am advised that the proviso to Section 96 B (2) applies not only to loss of rights (as defined above) resulting from the provisions of rules framed by the Secretary of State in Council in pursuance of the provisions of that sub-section, but also to a loss of rights resulting from rules or laws made by other authorities in exercise of powers delegated to them under the provisions of the same sub-section by the Secretary of State in Council.

"3 The foregoing represents the strictly legal results which, so far as they can be ascertained without reference to defined circumstances, must be held to flow from the actual words of this sub-section, and it is my intention to bring the situation which thus emerges to the notice of the Royal Commission on the Services as a matter for their consideration in its bearing on general service conditions, and with special reference to the observation of the Joint Select Committee on the Government of India Bill 'that every precaution should be taken to secure to the public servants the career in life to which they looked forward when they were recruited' For it is clear that administrative changes might result in a loss of selection appointments so considerable as seriously to prejudice the reasonable prospects of the Services. If, in my opinion, such a situation should arise, I shall not fail to examine it with a view to determining, in accordance with what I conceive to be the intention of the Joint Select Committee and of Parliament, what measure of relief can be granted to the Service affected. It is desirable, however, that the question should first be examined in all its bearings by the Royal Commission, and I am hopeful that their recommendations may be of assistance to me in dealing with a difficult problem affecting the interests and security of those Services for whose well being I am responsible

"4. I propose, therefore, to lay before the Commission Your Excellency's Government's Despatch, with its enclosures, and the present Despatch, and I request that copies of this Despatch may also be supplied to all members of the All-India Services."

82. The Services claim that whatever may be the legal interpretation of the words "existing or accruing rights," the intention of the proviso was to secure to them their prospects of promotion to all higher posts existing at the time the Act was passed, or alternatively to secure for them compensation for the loss of such prospects through the abolition of these appointments.

We find ourselves unable to lay down any general *a priori* ruling as to what, if any, claims to compensation might justly be entertained by a member or the members of a Service in the event of the abolition of any existing post or class of posts; or as to what amount of compensation, if any, should be granted. Our difficulty lies in the fact that such questions can only be equitably decided in the light of the circumstances and merits of each case. We recommend, therefore, that the Secretary of State should refer such claims for compensation, as they arise, for consideration and report by the Public Service Commission, which, being the expert authority in India on all Service questions, will be well qualified to form a just opinion. The Indian members, however, would limit the references to the Public Service Com-

mission to cases other than those necessitated by retrenchment or curtailment of work. In such cases they consider there would be no ground for compensation except for the incumbent of the post abolished.

### *The Safeguarding of Pensions.*

83 The apprehensions of the Services are not confined to the effect on the position of officers of orders by Local Governments in individual cases. They express grave concern at the prospect of future constitutional developments. In particular, we feel bound to note that we have found widespread anxiety with regard to the future security of pensions. We do not share this apprehension under existing circumstances, and we assume that, if any statutory change is made hereafter, involving the transfer of the financial control in this regard now exercised by the Secretary of State in Council, adequate provision would at the same time be made for safeguarding Service pensions.

### *The Commutation of Pensions.*

84. Various proposals have been put before us in the direction of establishing or depositing funds in England equivalent to the capitalised value of pensions. We are unable to support these, as they might adversely affect the credit of the Government of India. We consider, however, that some extension of the right to commutation of pension should be made. At present an officer may not commute more than one-third of his pension. We think this proportion should be raised to one-half, and we also recommend that the rates at which the commutation value is calculated should be revised, year by year if necessary, on the basis of the rate of interest payable on loans raised by Government in any such year.

### *The Safeguard of a Legal Covenant.*

85 As regards emoluments generally, we consider that, in all circumstances, the most practical form of safeguard would be a mutually binding legal covenant, enforceable in the Civil Courts, between the officer and the authority which has appointed him. We recommend therefore that such a contract should be entered into in the case of all future recruits, and that to secure the position of existing officers a similar contract should be entered into, so framed as to cover the remaining liabilities connected with their service and the privileges to which they may be entitled.

The general form of the contract might be somewhat on the lines of the existing Articles of Agreement adopted for the Indian Educational Service (see Appendix V). The appropriate and approved time-scale for the Service in which the officer is employed

“3. The foregoing represents the strictly legal results which, so far as they can be ascertained without reference to defined circumstances, must be held to flow from the actual words of this sub-section, and it is my intention to bring the situation which thus emerges to the notice of the Royal Commission on the Services as a matter for their consideration in its bearing on general service conditions, and with special reference to the observation of the Joint Select Committee on the Government of India Bill ‘that every precaution should be taken to secure to the public servants the career in life to which they looked forward when they were recruited.’ For it is clear that administrative changes might result in a loss of selection appointments so considerable as seriously to prejudice the reasonable prospects of the Services. If, in my opinion, such a situation should arise, I shall not fail to examine it with a view to determining, in accordance with what I conceive to be the intention of the Joint Select Committee and of Parliament, what measure of relief can be granted to the Service affected. It is desirable, however, that the question should first be examined in all its bearings by the Royal Commission, and I am hopeful that their recommendations may be of assistance to me in dealing with a difficult problem affecting the interests and security of those Services for whose well being I am responsible.

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The general form of the contract might be somewhat on the lines of the existing Articles of Agreement adopted for the Indian Educational Service (see Appendix V). The appropriate and approved time-scale for the Service in which the officer is employed

should be inserted as a schedule, and additional clauses should be added securing, *inter alia*,

- (i) Leave rules not less liberal than those in existence when the contract was signed.
- (ii) The grant of passages.
- (iii) Remittance privileges, if any.
- (iv) Pension rules not less liberal than those in existence when the contract was signed.
- (v) The right to compensation on an adequate scale in the event of dismissal without due notice or in breach of definite conditions laid down.
- (vi) The right to retire on proportionate pension in certain circumstances.

In our proposals on the subject of the statutory Public Service Commission we have made recommendations with the object of securing that, in the event of a breach of such a contract by a Government, the aggrieved officer shall, in certain circumstances, be indemnified against legal expenses in prosecuting his claim in the Civil Courts.

86. In the event of the adoption of our recommendations under this head it will obviously be inappropriate to retain the title of "Uncovenanted" Services, and we suggest that "Departmental" Services might more accurately describe their position in future.

#### *Votability of Government Contributions to Provident Funds.*

87. Our attention has been drawn to the fact that some uncertainty prevails as to whether Government contributions to provident funds, given to certain officers in lieu of pensions, are or are not votable by legislative bodies. It is desirable that this uncertainty should be removed; and we suggest that the Governor-General should consider whether he might not construe such contributions as pensions within the meaning of the Government of India Act in accordance with Section 67 A (4) thereof, and that all Governors should consider the same point in accordance with Section 72 D (3).

It is obvious that a conflict of opinions in the matter would be unsatisfactory; and we venture to hope that all the authorities concerned will be able to accept the suggestion made above.

#### *The Position of Specialist Officers.*

88. Representations have been put before us by specialist officers regarding the insecurity of their tenure of appointment. Those appointed on a permanent basis by the Secretary of State cannot be removed from service without his sanction and their status in this respect is exactly the same as that of members of an All-India Service.

An officer who is serving on a contract for a definite period is in a different position. His services can clearly be dispensed with at the end of his contract; and such contract usually provides that it can be terminated by either side at 6 months' notice before the expiry of the stated term. This provision has, in the past, not been understood by officers as authorising Government to terminate their employment for reasons other than the unsatisfactory performance of their duties, but it has in some recent cases been used by Governments to terminate the contracts on grounds of economy. In this way an officer engaged on a five-year contract might find himself thrown out of employment after a year. The Secretary of State has held that in such cases the officer is clearly entitled to special compensation. We concur in this opinion, and recommend that the amount of the compensation might be fixed by the responsible Government in consultation with the Public Service Commission.

*Position of All-India Officers not Appointed by the  
Secretary of State.*

89. A number of ex-Army officers who were demobilised in India after the war were appointed to the Indian Police Service, not "by" the Secretary of State, but "with the approval of" the Secretary of State. Simultaneously, some of their comrades, who had returned to England on demobilisation, received similar appointments, which, however, were made "by" the Secretary of State. In consequence they acquired a measure of protection to which the officers appointed in India were not entitled. This places the latter in a disadvantageous position, inasmuch as their pay and pensions, unlike the pay and pensions of officers appointed by the Secretary of State, are subject to the vote of Legislative Councils. It is clearly anomalous that this difference should exist between members of the same Service, recruited under what were intended to be the same conditions. We therefore recommend that these officers should be reappointed by the Secretary of State from the date of their original appointment.

We have been given to understand that there may be a few officers, in other All-India Services, who are in a like anomalous position, and whose case might be given similar consideration.

## CHAPTER XI.

### HOUSE RENT, MEDICAL ATTENDANCE AND LEAVE RULES.

#### *House Rent.*

90. The existing rules governing the rent payable by officers occupying houses supplied by Government are as follows:—

Interest is calculated on the capital cost of construction of the house and the cost to Government (if any) of the site. On houses built before 1915 the rate of interest taken is  $3\frac{1}{2}$  per cent.; on

houses built later the rate of interest depends on the rate paid by Government for loans in the open market at the time the house was built. To the interest so calculated is added a percentage to cover the annual cost of maintenance, and the total is the standard rent.

This standard rent is charged to the officer occupying the house, but is subject to a maximum of 10 per cent. of his pay. The 10 per cent. limit, however, does not cover the rent of sanitary and electrical installations and fittings, if any.

In certain of the larger towns where rents are abnormally high and the number of official houses is insufficient for the Services, Government grants compensatory house allowances.

91. The main representations which have been made to us by the Services in this connection are :—

- (i) That Government should undertake a general obligation to provide houses for the Services at a maximum rent of 10 per cent. of pay.
- (ii) That the 10 per cent. of pay should cover all charges for rent, including interest on the capital cost of sanitary and electrical fittings.
- (iii) That the rules operate unequally as between officers in localities (for example, urban areas) where the cost of the site is high and in districts in which the main factor in the standard rent is the cost of construction.

92. We do not consider it practicable to place on Government a general obligation to build or rent houses sufficient to accommodate all officers, but subject to this we think that relief should be given and that it should take the following form :—

(a) *Houses Supplied by Government :*

- (i) In assessing rent, interest should be calculated on the cost of construction of the house and nothing should be included in respect of the cost (if any) to Government of the site.
- (ii) Wherever a general supply of electric power is or becomes available, or wherever a sewage system of drainage exists, the capital cost of the necessary installation and fittings should be included in the capital cost of the building.
- (iii) On the capital cost calculated as in (i) and (ii) above, the full rent of the house should be assessed at not more than 6 per cent. The full rent so calculated should be the annual rent payable by the tenant, provided that no Government tenant should have to pay more than 10 per cent. of his monthly emoluments for the period of his occupation of the house.



- (iv) The cost of any restoration or special repairs should not be added to the capital cost of the building, but any alterations which add to the accommodation, and are made at the tenant's request, should be added to the capital cost and the rent be raised in proportion.

(b) *Private Houses :*

Whenever it is necessary, no Government accommodation being available or until such accommodation is made available, to give relief to officers in large centres of population on account of the excessive rents charged by private landlords, that relief should be included in the compensatory local allowance. This relief should be calculated so as to cover on an average the excess, over 10 per cent. of the emoluments of such officers, which they are compelled to pay, on account of house rent, for accommodation reasonably sufficient for their status and proportionate to their pay.

*Medical Attendance.*

93. The almost universally expressed anxiety of British members of the Services in India to have access to British medical advice for themselves and their families is intelligible and, in our opinion, its provision is vital to their contentment.

In the geographical conditions of India, and in view of the increasing Indianisation of the Services, including the Medical, the adequate provision of qualified British medical attendance for the British members of the Services presents peculiar difficulties. The following solutions, based on the evidence laid before the Commission, appear to us to be the most practicable and we recommend them for adoption :—

- (a) The districts of a Province should be grouped, and a British medical officer (civil or military) should always be posted to one station in each group. This station should be within easy reach of each district in the group. The details of this grouping should be arranged by the Local Governments concerned, in consultation with the Government of India, and should be subject to the approval of the Secretary of State.
- (b) In stations where there is no British medical officer, travelling allowances for the officer or his family should be granted to and from the nearest station where there is such medical officer. Payment should be made on a certificate by the medical officer, countersigned, if desirable, by the head of the Medical Service in the Province. Alternatively, if more convenient or if the patient is not fit to travel, the expenses of the medical officer's visit (exclusive of his normal fee for attendance) should be defrayed by Government.

- (c) In the event of a case being of such a serious or special nature that the doctor first consulted does not feel able or willing to treat it, he may give a certificate authorising the patient to travel to the nearest station where adequate treatment can be given. This certificate should qualify the patient for the grant of travelling allowance as in (b) above.
- (d) In stations where only military medical officers are available their services should be at the disposal of civil officers and their families, upon payment of normal fees.
- (e) Officers should be entitled to free medical attendance as at present. If treated in hospital, they should not be liable for payment of medical, surgical, and nursing charges, but charges for board or special accommodation should be defrayed by the officers themselves. Normal fees should be chargeable for their wives and families.

94. The Services have pressed for free medical attendance for their wives and families. This concession, if granted, would be open to many objections and be capable of abuse. We are, therefore, unable to recommend it and believe that the proposals outlined above, taken in conjunction with the improvements in emoluments and other conditions of service which we have recommended elsewhere in this Report, will afford an adequate measure of relief in the directions in which it is most needed.

#### *Leave Rules.*

95. The reorganisation of the leave rules for European members of the Government Services, carried out as a result of the recommendations of the Islington Commission, resulted in a leave code which is generally recognised to be liberal. The only criticism of it which has been brought before us had reference to the restriction on the maximum amount of leave on average pay which may be granted. An officer is not permitted to take more than 8 months leave on full average pay at any one time, or to take during the whole of his service more than one-eleventh of the period spent on duty plus one year. It has been represented to us that both restrictions should be removed, and that, in addition to leave on average pay equivalent to one-eleventh of the period spent on duty, an officer should be allowed to commute the whole of the leave on half pay, admissible to him under the rules, into half the amount of leave on full average pay. These concessions could only be made at a heavy cost to Government, and, as we consider that the leave rules, as they stand, are sufficiently liberal and are widely recognised as such by the Services, we are unable to recommend any extension in the direction suggested.

## PART III.

## CHAPTER XII.

## BURMA.

96. The case of Burma presents some special features as compared with the rest of India. Higher education, both secondary and collegiate, is in a very backward state and there has been a marked reluctance on the part of Burmans to attend Indian colleges. Technical education is even less advanced, owing partly to lack of training facilities and partly to the disinclination, hitherto, of the Burman to adopt a professional career. Some improvement is now being manifested under both these heads but it must be some years before an adequate supply of qualified Burmans can be available to man the Public Services. For example, it was only in 1923 that, for the first time, a Burman was successful in the competitive examination for the Indian Civil Service, whilst four Burmans in all have been nominated to that Service.

In these circumstances the question as to whether the same rates of "Indianisation" which we have recommended in the case of India as a whole should be adopted for Burma presents obvious difficulties. There are not at present sufficient qualified Burmans available to fill the vacancies. At the same time experience shows that Burman politicians and Burman public opinion in general would not accept any proposals for Burma which fell short in any respect of similar proposals for India. This is evidently also the view of the Local Government, which has intimated to us its desire that any recommendations which we might make under our Terms of Reference should be equally applicable to Burma.

This may be sound, and even inevitable, as a political principle, but it does not solve the difficulty of obtaining qualified Burmans for the All-India Services in Burma—except in so far as they can be promoted from the Provincial personnel. This is an unsatisfactory substitute for entry by examination, particularly in Burma where the absence of racial, religious, and caste differences offers a wider opportunity for securing the best men by educational competition than can be the case in the rest of India.

97. For the reasons above stated, however, we make our recommendations with regard to Indianisation and provincialisation applicable to the whole of India including Burma and, in respect of the All-India Services, we leave it to the Government of India in consultation with the Burma Government to make such adjustments as may be necessary to suit local conditions.

The question of the increased emoluments, passage and other concessions, which we have recommended for the Services presents no difficulty in their application to Burma. Over and above these, however, there is the local "Burma Allowance," necessitated by the abnormal cost of living in that particular Province.

This was fixed only so lately as 1919 and we did not think it necessary to suggest any revision of its terms or conditions.

The Public Service Commission, the establishment of which we have recommended for India, will of course include Burma in its sphere of operations. So long as Europeans serving in that Province belong to the "All-India" Services it is necessary that they should enjoy the same protection as their colleagues serving in other parts of India.

98. Our general conclusion, therefore, is that we make no special or divergent recommendations with regard to the Services in Burma, and are prepared to leave it to the Secretary of State, in consultation with the Government of India and the Local Government, to make any necessary adjustments in regard to the distribution of British recruits to the All-India Services as between Burma and other Provinces.

### SPECIAL NOTE

#### REGARDING THE RECOMMENDATIONS CONTAINED IN THIS REPORT.

99. Various representations have been made to us by Service Associations regarding the date from which our recommendations relating to Service Conditions should take effect and we have been urged to make them retrospective.

After careful consideration, we record our view that in the present state of the finances of India, our recommendations should take effect as from the commencement of the financial year 1924-25.

### CHAPTER XIII.

#### RECRUITMENT.

100. For some years past the Secretary of State has found it increasingly difficult to secure the full complement of British recruits required for the All-India Services. We recognise the importance of this fact, and in all our proposals for improving and safeguarding the conditions of service we have borne it in mind. We have contemplated not only the effect of better prospects as an encouragement to recruits, but also of the reaction on recruitment of greater contentment among existing members of the Services, whose views and feelings soon penetrate to British schools and universities, and must always be, as they have been in the past, a potent factor in determining the supply of candidates. We hope that our proposals, if adopted, will go far to check the recent decline and to establish once more the requisite flow of highly qualified recruits for all the Services.

101. We think it desirable, however, to comment specially on the question of recruitment for the Indian Civil Service. We have examined the list of deterrents to recruitment drawn up by the MacDonnell Committee (paragraph 10), and we believe that their force will be very greatly diminished if our proposals are adopted. What has deterred recruits more than any question of material or financial conditions, has been an apprehension that some future political developments in India might bring their careers to a premature end. We admit that no absolute guarantee can be given against such a contingency; there is no career, after all, which is absolutely safe in this respect; but we think that anxiety on this point can easily be exaggerated. We are convinced that India still needs the services of capable and broad-minded Englishmen and will long continue to need them; and we hope that Englishmen will not be slower in the future to meet the need than they have been in the past. At the same time we are anxious that such arrangements should be made as would give to every officer at least a reasonable measure of security on the financial side.

102. There seem to be two possible contingencies. First, as the development of self-government in India proceeds, posts or classes of posts now held by members of the Indian Civil Service may be abolished. We have dealt with this matter in paragraph 82 above.

Secondly, an officer, once recruited, may come to find the conditions of his service so uncongenial as to make him desire to withdraw from that service at any cost. It is important at this point to distinguish between the opinions of members of the Services who were in India before the Reforms scheme came into operation and those who have been recruited since. It is universally admitted that under changed political and economic conditions the public service in India cannot be exactly what it was before the war. Loyal as they have been in their attempt to make the reformed system a success, it is only natural that some officers should regret the passing of the old order, in which they formed part of a wholly bureaucratic system, unexposed to criticism or interference on the part of representatives of the people. Officers, however, who have never experienced pre-Reform conditions are naturally able to judge the existing system on its merits and not to be biased by comparing it with a past they have not known themselves. With this in view we specially requested that some members of the Services in every Province, who had come to India since 1919, should answer our questionnaires and give oral evidence before us. The results were on the whole encouraging. These young officers looked forward with anxiety to their financial future unless the existing rates of pay were modified, and, like older officers, they expressed a sense of insecurity as regards both their pensions and the possible effects of further constitutional change. But

when it was put to them that in all these respects they might be adequately safeguarded (as we think they may be if our proposals under these heads are adopted) most of them declared that, on this hypothesis, they could look forward to a congenial and useful career. They recognised that the life of a member of the Indian Civil Service is still, as it has always been, a big life, involving great responsibility. Nor in their opinion has it lost what used to be one of its chief attractions—the possibility of friendly contact with the rural population. They declared that their relations with the people amongst whom they are living are cordial.

103. In the light of this evidence and of the general situation as we saw it, we believe that the risk that an officer might find the conditions of his service too uncongenial is only a possibility, and in any case it is only likely to arise in the event of an officer being moved from the reserved field of government to the field which is managed by Ministers and Legislative Councils. It is, we hold, desirable to relieve recruits of any apprehensions on this account by providing them with a regular means of withdrawal without great financial injury.

This was one of our two reasons for recommending that all future recruits should be given the option defined in paragraph 74, if and when the field of administration in which their service lies should be transferred. Our other reason it may be said here, was a desire to make the system elastic in order, in some degree, to accommodate the future of the Services to the further development of self-government in India.

We trust that the difficulty in obtaining recruits will be largely overcome if the above proposals are adopted, but we think that, over and beyond them, efforts should be made to stimulate recruitment by well-considered propaganda. We think it desirable that the India Office should establish some permanent *liaison* with the British Universities, and we call attention to the suggestions made in Annexure III to the Report of the Macdonell Committee (see Appendix VI), with the rider that similar arrangements to those there proposed with regard to Oxford and Cambridge should be considered with regard to the other Universities.

Finally, we think that a full and candid explanation of the present position in India, and of the conditions of service under the reformed system, with precise details as to pay, pensions and other privileges, as also of the measures of protection and security provided (in the event of our proposals being adopted), should be prepared at the India Office and made available for prospective recruits.

#### *Methods of Recruitment.*

104. We now come to the question of the system by which recruits for the Indian Civil Service should be selected. Time has not allowed us to elicit the opinions of University authorities

upon the spot; but we circulated a questionnaire among them all, and have received clear and valuable replies. It is in the light of the opinions thus expressed that we make the following proposals:—

- (a) We recommend that the age limit for candidates for the Indian Civil Service Examination in London should remain as fixed for the present year (*i.e.*, a candidate must have attained the age of 21 and must not have attained the age of 24 on the 1st day of August), and that the Secretary of State should reconsider his decision to change the age limits in 1925 to 21—23. We make this recommendation not only in the interest of British but of Indian candidates as well. All the Universities (with the exception of two which did not give their opinion on the point) approved the maintenance of the age limit at 24. We also feel that it is clearly desirable to keep the field of recruitment as wide as practicable both in India and in England.
- (b) It was a corollary of the decision to reduce the upper age limit to 23 years that the period of probation for recruits should be extended from one year to two. Since it is clearly undesirable that recruits should begin their work in India above the age of 25, the retention of the present probation period of one year necessarily follows from our recommendation to keep the upper age limit at 24. Whatever may be said in favour of extending the probation beyond one year, we feel that under present conditions the arguments for maintaining the higher age limit are decisive.
- (c) As to the method by which recruits for the Indian Civil Service should be chosen, we recommend that the present system should be continued. Some Universities and other witnesses have urged that a system of selection should be adopted instead of open competitive examination. The argument is that, since the new conditions in India require that members of the Indian Civil Service should possess special gifts of character and adaptability besides purely intellectual attainment, it would be safer to choose recruits by selection rather than by examination. We are convinced, however, that the arguments which have so long held the field against the method of selection for any Civil Service are still decisive, and that appointment to the Indian Civil Service must not be exposed to any charges, just or unjust, of political or personal influence. A more attractive suggestion is that the competitive examination should be preceded by selection, but, to this proposal likewise the obstacles seem to us unsurmountable.

We fear that good candidates might be shy of exposing themselves to the possibility of rejection by a selection board on other than intellectual grounds, and also that the list of selected candidates would inevitably be criticised by Universities or individuals as the product of prejudice or favouritism. In the light of all these considerations we recommend that the existing system of open competitive examination should be continued.

*Short-term Contracts.*

105. It was suggested by some University authorities, and also by some witnesses who gave evidence in India, that European recruits for all the All-India Services should in future be engaged on short-term renewable contracts. We regard this as a not impossible expedient with regard to special appointments in the more technical services. If individuals were needed to carry through a specific project of engineering, or to engage on a particular and limited field of scientific research, or to occupy for a term of years a particular professorial chair, the system of short-term contract might be adopted; but even in such cases those drawbacks would not be entirely absent which we feel are fatal to the suggestion as applied to the Services as a whole. These drawbacks are as follows: a new European recruit in any Indian Service does not become efficient until he has accustomed himself to the special conditions of India, learned the ways of its people, and mastered in some degree the local language. It may be said in fact that his efficiency increases in proportion to his length of service. From the point of view of the Governments concerned, therefore, a recruit engaged on a short-term contract is a highly uneconomical proposition, for, while Government has paid for his period of apprenticeship, it may lose him just at the moment when he has acquired some measure of real efficiency. The proposition is similarly disadvantageous to the recruit. After spending some years in acquiring the special qualifications for efficient service in India he may find it impossible to renew his contract, with the result that he is cast upon the world with qualifications which, however valuable in India, may be of little or no value elsewhere. It must not be supposed, for instance, that an expert in Indian forestry who has lost his post in India would be regarded as an expert in the forest work of any other continent. The uncertainty of continuous employment would therefore militate against the chance of obtaining first-rate recruits. These considerations apply with special force to the Indian Civil Service and the Indian Police Service. In these Services the efficiency of the officer is the result, above all else, of prolonged contact with the Indian people. It is not for some seven or eight years that he is qualified to hold the post for which he was recruited; and several more years must pass before



he is fit for the higher appointments. It would clearly be unwise, therefore, for Government to recruit such officers on a short-term basis. For a member of these Services, similarly, since he is engaged only in administrative or executive work, the non-renewal of a contract would mean financial disaster; for, however high his value in India, he would have no special qualifications for obtaining employment in any other country. It is not surprising, therefore, that, except as regards such special technical duties as are referred to above, the great mass of evidence put before us was against the principle of short-term contracts. We recommend accordingly that officers should be recruited for All-India Services as at present on the basis of a permanent career.

## CHAPTER XIV.

### GENERAL.

#### *Procedure as to Evidence.*

106. At the very outset of our enquiry we were confronted with a difficulty which materially affected our subsequent proceedings. In our view it was of paramount importance that, to guide us in our investigation, we should be able to ascertain the genuine opinions of witnesses on the matters at issue, however confidential or controversial the latter might be. There were likely to be many witnesses, Indian as well as European, who would shrink from expressing, in public, opinions which they conscientiously held but which if published in the press might involve them in political controversy. Had the Commission decided that it would hear no evidence which was not given in public, witnesses of this kind—who as it proved were by no means the most vehement in their tone or the most extreme in their demands—would, to a large extent, have declined to speak freely. Such a result would have prejudiced the value of our enquiry, and we came to the unanimous decision that the choice as to whether his evidence should be given in public or in private should be left unreservedly to each individual witness. If he decided to be heard in public, representatives of the press were admitted to record his oral evidence, and received his written statement as well as well. Those witnesses, on the other hand, who asked to be heard in private were given an assurance that neither their oral nor their written evidence would at any time be made public.

107. The record shows that, of the 411 witnesses who gave oral evidence, only 152 elected to be heard in public. It is obvious that only the evidence of these 152 witnesses could be published, and this would inevitably present a one-sided picture of the case which has been laid before us. We have therefore come to the conclusion that no transcript of the evidence can be appended to our Report and that we must be content with depositing a complete and verbatim record with the Secretary of State.

*Interdependence of Agreed Conclusions.*

108. Finally, in submitting this our Report we wish to emphasise that we regard its main proposals as vitally interdependent, and that, unless all are given effect to, violence will be done, nor merely to the spirit of compromise which has inspired our agreed conclusions, but to the whole structure of our recommendations.

We would also venture to urge that there should be as little delay as possible in considering and acting upon our proposals. We have striven to respond to the official request that we should treat our enquiry as a matter of urgency, and having done so we suggest that the position is one in which the principle of *bis dat qui cito dat* is of special application.

## CHAPTER XV.

## 109. SUMMARY OF RECOMMENDATIONS.

## APPOINTMENT AND CONTROL OF THE SERVICES.

*(a) Services employed in reserved fields.*

PARAS.

- (i) The All-India Services employed in reserved fields of administration should continue to be appointed and controlled by the Secretary of State for India in Council .. .. . 13

*(b) Services employed in transferred fields.*

- (ii) For the purposes of Local Governments, no further recruitment should be made to the All-India Services as such, operating in transferred fields. The personnel required for these branches of administration should, in future, be recruited by Local Governments (For the Medical Services see v, vi, vii below), 14—15, 17
- (iii) Local Governments should have power to make rules to regulate not only the Public Services which will take the place of the present All-India Services operating in transferred fields, but also the existing Provincial Services. The Secretary of State should make the necessary delegation of powers under Section 96 B of the Government of India Act accordingly. As a corollary, Local Legislatures should pass Public Service Acts regulating these Services .. 16

*(c) Central Services.*

- (iv) Appointments to certain of these Services as specified in paragraph 19 should be made by the Secretary of State. The Government of India should appoint to the remainder .. .. . 18—19

## REORGANISATION OF MEDICAL SERVICES.

PARAS.

- (v) A new Civil Medical Service should be constituted in each Province and recruited by competitive examinations held both in England and in India, the medical needs of both the British and Indian Armies in India being met, in future by the "R.A.M.C. (India)." Every officer of the new Provincial Civil Medical Services should be liable for service with the R.A.M.C. (India) in the event of general mobilisation 20—23c.
- (vi) To meet the Medical needs of British officers in the Civil Services and their families, a minimum number of British officers should be maintained in the Civil Medical Service herein proposed. These minima should be prescribed for each Province by the Secretary of State, on whom, in the last resort, should rest the responsibility for their maintenance. Of this British element, one half or the number required for the military reserve whichever is the larger, should be reserved for British officers to be seconded from the R.A.M.C. (India). In default of the remainder being forthcoming by competitive examination for the Civil Medical Service, the deficiency should be made up by increased seconding from the R.A.M.C. (India) or, if necessary, by special additional recruitment for that purpose .. 23 d, e, f.
- (vii) Subject to the existing rights of present members of the Indian Medical Service, all scientific chairs in Government Colleges and Hospitals, should, in future, be thrown open to all candidates, the clinical chairs being reserved for members of the Civil Medical Services, however recruited, so long as fit candidates are available.. .. 23g.

## THE PUBLIC SERVICE COMMISSION.

- (viii) The Public Service Commission contemplated by the Government of India Act should be constituted without further delay. It should be an All-India body and consist of five Commissioners of the highest public standing, detached so far as practicable from political associations and possessing, in the case of two of their number at least, high judicial or legal qualifications .. .. 24—26
- (ix) The functions of the Commission should fall, at the outset, into two categories, (a) recruitment, (b) certain functions of a quasi-judicial character in connection with the disciplinary control and protection of the Services .. .. 27

(x) As regards (a), it should be charged with the duty of PARAS.  
recruitment for the All-India Services, as the agent  
of the Secretary of State, so far as it is carried out in  
India, and of recruitment for the Central Services  
(and, if a Local Government should so desire, for the  
Provincial Services) as the agent of the Secretary of  
State, the Government of India or Local Govern-  
ment as the case may be. The Commission should  
also be the final authority for determining, in con-  
sultation with the Secretary of State, the Govern-  
ment of India or Local Governments, as the case may  
be, the standards of qualification and the methods  
of examination for the Civil Services so far as re-  
cruitment in India is concerned .. .. 27

(xi) As regards (b), appeals to the Governor-General  
in Council by an aggrieved officer against such  
orders of Local Governments as are declared by  
the Governor-General in Council to be appealable  
should be referred to the Commission, which should  
report its findings to the Governor-General in  
Council and its recommendations as to action, with-  
out prejudice to the right of appeal of the aggrieved  
officer to the Secretary of State provided the Com-  
mission certify his case as a fit one for such appeal.  
Appeals from the Government of India which now  
lie to the Secretary of State should, in the first  
instance, be referred to the Commission in the  
same manner as in the case of appeals to the Govern-  
ment of India, and the Commission should submit  
its report to the Secretary of State. When a breach  
of the legal covenant (see recommendation (iii))  
between an officer and the appointing authority is  
alleged, the Commission should certify whether  
*prima facie* it is a fit case for adjudication in a Civil  
Court. If such certified case is sustained by the  
Court, the whole costs should be defrayed by the  
Government concerned .. .. 27—28

(xii) Apart from the determination of standards of  
qualification and methods of examination the Com-  
mission would not ordinarily be concerned with  
Provincial Services. Its knowledge and experience  
would merely be placed at the disposal of Local  
Governments if desired. The Chairmen of Pro-  
vincial Selection Boards would constitute the link  
between the Commission and the Local Govern-  
ments .. .. 26, 29—30

## INDIANISATION.

## PARAS.

*Indian Civil Service.*

- (xiii) A proportion of 50 per cent. Europeans and 50 per cent. Indians in the cadre should be attained within about 15 years from the time that the new rate of recruitment recommended comes into force. It has been calculated, on certain assumptions regarding abnormal retirements, that recruitment on the basis of 40 per cent. Indians directly recruited, and 20 per cent. Indians promoted from the Provincial Service, will produce that result .. .. . 35—36

*Indian Police Service.*

- (xiv) Out of every 100 recruits, 50 should be Europeans directly recruited, 30 should be Indians directly recruited, and the remaining 20 should be Indians obtained by promotion from the Provincial Services. On certain assumptions regarding abnormal retirements, the corresponding cadre of 50-50 should be attained in about 25 years from the time that the new rate of recruitment comes into force. In any year in which the full quota of 30 per cent. directly recruited Indians is not obtained by open competition, the balance should be made good by additional promotion, preferably of young officers of not more than five years' service who have been directly recruited as Deputy Superintendents of police .. 37—38

*Indian Forest Service.*

- (xv) Recruitment should be in the ratio of 75 per cent. Indians and 25 per cent. Europeans in those Provinces in which Forest administration is reserved .. 39

*Indian Service of Engineers.*

- (xvi) Recruitment for that portion of the cadre working entirely in the Irrigation Branch in Provinces in which it has been separated from the cadre working in the Buildings and Roads Branch should be in the ratio of 40 per cent. Europeans, 40 per cent. directly recruited Indians and 20 per cent. Indians promoted from the Provincial Service. In those Provinces in which no division of the cadre has been made there should be no change in the existing ratio of recruitment for the combined cadre .. .. . 40

*Central Services.*

PARAS.

*(a) Political Department.*

- (xvii) Twenty-five per cent. of the total number of officers recruited annually should be Indians, who should be obtained, as at present, from the Indian Civil Service, the Provincial Civil Service and the Indian Army 42a

*(b) Imperial Customs Service.*

Recruitment should remain on the present basis, i.e., not less than half the vacancies are to be filled by appointment in India of statutory natives of India .. .. . 42b

*(c) Superior Telegraph and Wireless Branch.*

Recruitment should be 25 per cent. in England and 75 per cent. in India .. .. . 42c

*(d) State Railway Engineers : Superior Revenue Establishment, State Railways.*

The extension of the existing training facilities in India for these Services should be pushed forward in order that recruitment in India may be advanced so soon as practicable up to 75 per cent. of the total number of vacancies in the Railway Departments as a whole, the remaining 25 per cent. being recruited in England .. .. . 42d

*(e) Recruitment for the remaining Central Services should be at the discretion of the Government of India .. .. . 42e**(f) In services dealt with in (b), (c) and (d), recruitment should be by open competition .. .. . 42f*

## THE PAY OF THE SERVICES.

*All-India Services.*

- (xviii) Apart from the Indian Police Service and the Indian Service of Engineers, it is not proposed to increase the basic pay of the Services. In the Indian Police Service the basic pay of the inferior scale should be raised by Rs. 25 a month. The basic pay of the superior scale which begins at the 6th year of service should be increased by Rs. 50 a month up to the 10th year of service, then by Rs. 75 a month to the 13th year of service, then by Rs. 100 a month for the ensuing four years, then by Rs. 75, Rs. 50 and Rs. 25 a month for the 18th, 19th and 20th year of service, thereafter remaining as at present. . 51—52

The technical pay of the Indian Service of Engineers should be reckoned as part of the basic pay. . . 59

- (xix) For Services other than the Indian Police Service and the Women's Branch of the Indian Educational Service, the rise in overseas pay from Rs. 150 where it occurs, should be to Rs. 250 instead of Rs. 200 as at present; while from the 12th year of service onwards the rate of overseas pay should be raised from Rs. 250 to Rs. 300. In the Indian Police Service, recruits for which are about three years younger than in the other Services, the rupee rates of overseas pay should be Rs. 100 in the first three years, Rs. 125 in the fourth, Rs. 150 in the next four years, Rs. 250 in the next six years, and Rs. 300 in the 15th year and thereafter to the end of the time-scale 53
- (xx) In all Services, including the Indian Police Service but not the Women's Branch of the Indian Educational Service, from the 5th year of service onwards, every officer of non-Asiatic domicile should be entitled to remit his total overseas pay through the High Commissioner at 2s. to the rupee or to draw it in London in sterling at that rate. Indian members of the Services who are already entitled to overseas pay should draw the increase proposed, but should only be entitled to the remittance privilege if they can satisfy the High Commissioner that they have wives or children in Europe 54
- (xxi) Officers promoted to the selection grade in the Indian Police Service, the Indian Medical Service, the Indian Agricultural Service, the Indian Veterinary Service, and to the senior and junior selection grades in the Indian Educational Service should draw the maximum overseas pay and receive the sterling advantage described in (xix) and (xx) respectively 54
- (xxii) The pay of officers holding lower administrative posts, *i.e.*, Deputy Inspectors General of Police, Superintending Engineers and Conservators of Forests, should be fixed at Rs. 2,150 instead of the present incremental pay of Rs. 1,750—100—2,150 55
- (xxiii) With regard to other administrative posts above the time-scale, the divergent views of the English and Indian Members respectively are set out in Appendix IV 55
- (xxiv) The Women's Educational Service have a claim to some improvement in their emoluments, but not necessarily to the same extent as that recommended for the All-India Services generally. The Government of India should give special consideration to this case and make the necessary recommendation to the Secretary of State 56

*Central Services.*

PARAS.

- (xxv) In principle, the concessions proposed for members of the All-India Services should *mutatis mutandis* be granted to all European officers in the Central Services appointed by the Secretary of State and to those European officers who, though appointed by the Government of India, were so appointed on the basis of a non-Asiatic domicile .. .. .

57

*Miscellaneous.*

- (xxvi) Officers appointed in future to the judicial branch of the Indian Civil Service should not receive "judicial pay." It should not, however, be withdrawn from existing recipients .. .. .
- (xxvii) The "technical" pay of the Superior Telegraph Branch should be reckoned as part of the basic pay .. .. .
- (xxviii) Military officers serving in the Political Department should receive the same pay as officers of the Indian Civil Service in that Department .. .. .
- (xxix) Public Works Department specialist officers appointed by the Secretary of State and holding permanent appointments should receive the same concessions as officers of the Indian Service of Engineers. In the case of those specialists appointed by the Secretary of State and serving under contract, if their contract contains a clear implication that permanent employment is contemplated subject to approved service, such contract should be revised to give an improvement comparable with that proposed for the Indian Service of Engineers. The cases of specialist officers appointed by local Governments should be treated generally on the above lines. The same general principles apply also to specialist officers in other departments such as forest specialists, agricultural engineers and officers holding various miscellaneous appointments .. .. .

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## PASSAGES.

- (xxx) An officer of non-Asiatic domicile in the Superior Civil Services should receive four return passages during his service (of the standard of P. and O. First Class B) and, if married, his wife should be entitled to as many return passages as may be to his credit. One single passage should be granted to each child .. .. .
- (xxxi) Officers already in the service, who have served less than 7 years, should be entitled to four return passages for themselves and their wives, those with over 7 years and less than 14 years should be entitled

62-63



- to three, those with over 14 years' and less than 21 years' service should be entitled to two, and officers with 21 years' service and over to one. The scheme should be extended to Indian officers in the Indian Civil Service who were recruited by the Secretary of State and who receive overseas pay but should not extend to their families .. .. . 63
- (xxxii) The family of an officer who dies in service should be repatriated at Government expense even though he has exhausted the full number of passages admissible .. .. . 63
- (xxxiii) An addition of Rs. 50 or such amount as may from time to time be deemed sufficient by Government for the purpose of financing the above concessions, should be credited monthly to the pay of all British members of the Superior Civil Services entitled to passage concessions (probably Rs. 25 a month will suffice for Indian members). This sum should be deducted at the source and transferred to a special "Passage Fund" in which the contributions thus made by every officer should accumulate and on which an officer requiring funds for the payment of passages should be allowed to draw. Any surplus in this fund will revert to Government. The monthly additions credited to pay under this proposal should not count towards pension, or leave or furlough allowance .. .. . 64-65

## PENSIONS.

*Indian Civil Service.*

- (xxxiv) Having regard to the fact that in 1919 officers were relieved of the necessity of contributing 4 per cent. of their salary towards their pensions, no increase is recommended in the ordinary pension of this Service, nor is it possible to reopen the question of extending the recent concessions made regarding the refund of past contributions .. .. . 67
- (xxxv) Members of the Indian Civil Service, who attain to the rank of Members of Council, should be given an increased pension at the rate of £50 per annum for each year of service, as such, up to a maximum pension of £1,250. Those who serve as Governors of Provinces should similarly be given £100 for each year of service, as such, up to a maximum pension of £1,500 per annum. .. .. . 68
- (xxxvi) No change should be made in the existing scale of invalid annuities so far as the Indian Civil Service is concerned .. .. . 69

*Uncovenanted Services.*

- (xxxvii) The present pension of Rs. 5,000 per annum, PARAS.  
 earned after 25 years' service (equivalent at the  
 privilege rate of 1s. 9d. to the rupee to £137 10s.),  
 rising by Rs. 200 per annum to Rs. 6,000 after  
 30 years' service (equivalent to £525 per annum),  
 should be increased to Rs. 6,000 and Rs. 7,000  
 respectively, i.e., to £525 and £612 10s. per annum  
 respectively. The maximum pensions, taking  
 account of additional pensions earned by service  
 in higher appointments, will then become Rs. 8,500  
 (lower grade) and Rs. 9,500 (upper grade),  
 equivalent at 1s. 9d. to £743 15s. and £831 5s.  
 per annum respectively . . . . . 70
- (xxxviii) The limit of 10 years before which an invalid  
 annuity can be earned in the Uncovenanted Services  
 should be reduced to seven, and the existing  
 maxima raised, as shown on page 41 . . . . . 72

## PROPORTIONATE PENSIONS.

- (xxxix) No addition to proportionate pension should  
 be given as compensation for loss of career on  
 voluntary retirement . . . . . 74i
- (xl) The privilege of retiring on proportionate pension  
 should be extended to officers recruited in 1919  
 who, through no fault of their own, did not arrive  
 in India before 1st January, 1920 . . . . . 74ii
- (xli) No change should be made in the existing rule  
 laying down that war service of officers prior to their  
 appointment does not count as service for the  
 purposes of proportionate pension . . . . . 74iii
- (xlii) The privilege of retirement on proportionate  
 pension should not be extended to members of the  
 Central Services . . . . . 74iv
- (xliii) A rule should be made and a clause inserted in  
 the contracts (see paragraph 74) of all future  
 British recruits to the All-India Services, to the  
 effect that if and when the field of service for  
 which they have been recruited is transferred,  
 it shall be open to them either :—
- (a) To retain their All-India status ;
  - (b) To waive their contracts with the Secretary of  
 State and to enter into new contracts with  
 the Local Governments concerned ; or
  - (c) To retire on proportionate pension, the option  
 to remain open for one year from the date of  
 transfer . . . . . 74v

- (xliv) Existing members of the All-India Services now operating in reserved fields, who do not make use of their privilege of retiring on proportionate pension before action has been taken on the report of the statutory Commission of 1929, and officers who joined the service since 1st January, 1920, should be allowed the option in (xliii), if and when the field in which their service operates is transferred
- (xlv) The existing rule should be maintained under which officers of the Indian Medical Service in civil employ of less than 17 years' service, may not retire on proportionate pension unless the military authorities are unable or unwilling to absorb them in military employ

PARAS.

74v

74vi

## EXTRAORDINARY PENSIONS.

- (xlvi) A new rule should be made to cover the case of officers killed or injured whilst not actually in the execution of their duty, but for reasons connected with their official position or actions

75

## PROVIDENT FUNDS.

- (xlvii) The advisability of substituting provident funds for pensions for future recruits should be carefully considered. If the change is feasible, and acceptable to the Services, it should be made without delay. The application of such a scheme to present members of the Services should also receive expert examination

76

## FAMILY PENSION FUNDS.

- (xlviii) Family Pension Funds, on the lines of that already existing for the Indian Civil Service, should be introduced for the other All-India Services as soon as practicable

77

- (xlix) An independent actuarial investigation into the position of the Indian Civil Service Family Pension Fund should be undertaken as soon as possible. A Board consisting of a retired member of the Service, a representative of the India Office and an independent actuary should be constituted to administer the Fund, subject to the final control and supervision of the Secretary of State

78

- (l) The existing Indian Civil Service Family Pension Fund should be closed as soon as practicable and a new fund opened, divided into Indian and European branches

78

## SAFEGUARDS.

*"Existing or Accruing Rights."*

- (li) The Secretary of State should refer claims from a member or the members of a Service for compensation for the abolition of a higher appointment for consideration and report by the Public Service Commission. The Indian Commissioners would limit the references to the Public Service Commission to cases other than those necessitated by retrenchment or curtailment of work . . . . .

PARAS.

81-82

*Commutation of Pension.*

- (lii) All officers should be allowed to commute up to one-half of their pension, and the rates on which commutation value is based should be revised year by year, if necessary, on the basis of the rate of interest payable on loans raised by Government in that year . . . . .

81

*Legal Covenant.*

- (liii) Mutually binding legal covenants, enforceable in a Civil Court, should be entered into between all future recruits and the authority appointing them. To secure the position of existing members of the Services a similar contract should be entered into, and so framed as to cover the remaining liabilities of their service. The contract should include clauses securing pay, leave rules, passage, remittance privileges, pension rules, etc., and the right to compensation in the event of dismissal without due notice or any breach of conditions of contract; as well as the right to retire on proportionate pension in certain circumstances . . . . .

81

*Votability of Government Contributions to Provident Funds.*

- (liv) The Governor-General should consider whether he might not construe such contributions as "pension" within the meaning of the Government of India Act in accordance with Section 67 A (1) thereof and all Governors should consider the same point in accordance with Section 72 D (3) . . . . .

87

*Position of Specialist Officers.*

- (lv) A specialist officer on a contract for a definite period whose services have been dispensed with before the end of his term for reasons other than unsatisfactory performance of his duties, for example, on grounds of economy, has a claim to

special compensation. The amount of compensation should be fixed by the Government responsible, in consultation with the Public Service Commission .. PARAS. 88

*Officers of All-India Services not appointed by the Secretary of State.*

- (lvi) Officers, including *ex*-Army officers in the Indian Police Service, not appointed by the Secretary of State but with his approval, should be reappointed by him from the date of their original appointment, so as to secure for them the same privileges as are enjoyed by other officers of the same Service .. 89

HOUSE RENT.

*Houses supplied by Government.*

- (lvii) In assessing rent, interest should be calculated on the cost of construction, but nothing should be included in respect of the cost (if any) of the site. The capital cost of electrical and sanitary fittings should be included in the capital cost of the building.

On the capital cost so calculated the rent of the house should be assessed at not more than 6 per cent. The rent so calculated should be the annual rent payable by the tenant provided that he should not have to pay more than 10 per cent. of his monthly emoluments for the period of his occupation of the house. The cost of any restoration or special repairs should not be added to the capital cost of the building but any alterations which add to the accommodation and are made at the tenant's request, should be added to the capital cost and the rent raised in proportion .. 90-92

*Private Houses.*

- (lviii) Where it is necessary to give relief to an officer on account of excessive rent charged by private landlords, the relief should be included in a compensatory local allowance and be calculated to cover, on an average at least, the excess over 10 per cent. of his emoluments which such officer has to pay for accommodation reasonably sufficient for his status and proportionate to his pay .. 92

MEDICAL ATTENDANCE.

- (lix) The principle that attendance by medical officers of their own race should be available for members of the Services and their families should be accepted. It is recommended that : —

- (a) Districts of a Province should be grouped and a British medical officer posted to one station in each group within easy reach of each district .. 93a

- (b) In stations where there is no British medical officer, travelling allowance for the officer and his family should be granted to the nearest station where there is such an officer. Alternatively, if more convenient, the travelling expenses of the medical officer should be paid by Government to enable him to visit the patient .. .. . 93b
- (c) In serious cases it should be open to the doctor first consulted to give a certificate authorising the patient to travel to the nearest station where adequate treatment can be given and the certificate should qualify the patient for travelling allowance .. .. . 93c
- (d) The services of military medical officers where no other medical officers are available should be at the disposal of civilian officers and their families upon payment of normal fees .. .. . 93d
- (e) Officers if treated in hospital should not be liable for medical, surgical or nursing charges. Normal fees should be chargeable for their wives and families .. .. . 93e
- Free medical attendance for the wives and families of officers should not be provided .. .. . 94

## LEAVE RULES.

- (lx) The existing leave rules are sufficiently liberal and require no alteration .. .. . 95

## BURMA.

- (lxi) All recommendations in this Report (including those relating to Indianisation and provincialisation) apply to Burma. The Secretary of State, in consultation with the Government of India and the Local Government, should make any necessary adjustment in regard to the distribution of future recruits to the All-India Services as between Burma and other Provinces .. .. . 96-98

## DATE AT WHICH THIS REPORT SHOULD COME INTO EFFECT.

- (lxii) The recommendations in this Report should take effect from the commencement of the financial year 1924-25 .. .. . 99

## RECRUITMENT.

- (lxiii) (a) In the interest of recruitment it is important that every officer should have a reasonable measure of security. Uncertainty arising from the possibility of the abolition of posts is dealt with in (li) above .. .. . 102

- (b) As regards the risk that the officer may find the conditions of his service uncongenial, the recommendation in (xliii) provides a regular means of withdrawal without great financial injury .. .. . 103
- (c) Efforts should be made to stimulate recruitment by well-considered propaganda. With this in view the India Office should establish some permanent liaison with the British Universities .. .. . 103
- (d) A full and candid explanation of the present position in India, and of the conditions of service under the reformed system, with precise details as to pay, pensions and other privileges, and the measures of protection and security provided, should be made available for prospective recruits .. .. . 103
- (e) The age limit for candidates for the Indian Civil Service examination in England should remain as it is fixed for the present year, that is, a candidate must have attained the age of 21 and not have attained the age of 24 on the 1st day of August .. .. . 104a
- (f) The present probationary period of one year should also be retained .. .. . 104b
- (g) The existing system of open competitive examination for the selection of candidates for the Indian Civil Service should be continued .. .. . 104c
- (h) Officers should be recruited for the All-India Services, as at present, on the basis of a permanent career and not on short-term contracts .. .. . 105

## INTERDEPENDENCE OF MAIN PROPOSALS.

- (lxiv) The main proposals in the Report are 'vitally interdependent and, in view of the urgency of the case, it is recommended that they should be considered as a whole and acted upon with as little delay as possible .. .. . 108

110. In conclusion we desire to place on record our sense of obligation to the staff of the Commission, which, from top to bottom, has displayed an ability and devotion to duty which call for the highest praise. Owing to the abnormal pressure under which our enquiry has been conducted, the strain on our Secretariat has been unusually severe, and their work, performed often under conditions of discomfort and inconvenience, has been altogether admirable.

The chief responsibility has of course fallen upon our Joint Secretaries, Mr. S. F. Stewart and Mr. A. W. Street. Mr. Stewart, with his long experience of the India Office, his wide knowledge of the problems involved in our terms of reference, and his unflinching courtesy, has proved himself an invaluable counsellor and aid. Mr. Street, who has been primarily responsible for the organisation and control of the office has demonstrated his exceptional abilities as an organiser and his tireless capacity for work. He has further had charge of the arrangements for our tour and

by his ever-ready helpfulness has placed every Member of the Commission in his debt.

We would also express our obligations to the two officers of the Indian Civil Service whose services were placed at our disposal after our arrival in India. Mr. H. G. Haig was appointed by the Government of India as its liaison officer with the Commission, and, in that difficult and delicate position, has been not merely a tactful link but an indispensable source of information on all points relating to the Departments and the Services. Mr. C. W. A. Turner was lent by the Government of Bombay, in the first instance as Personal Assistant to our Chairman, and, with his intimate knowledge of India and of Service conditions generally, became an invaluable member of our Secretariat. Mr. P. R. Ram was attached by the Government of India to the Commission, as an expert adviser on statistics, and has amply justified his appointment.

To all these officers, as also to the subordinate and reporting staff working under them, we wish to express our sincere and special thanks.

All of which we submit for Your Majesty's gracious consideration.

(Signed) LEE OF FAREHAM.

BHUPENDRANATH BASU.

R. COUPLAND.

R. H. CRADDOCK.

M. HABIBULLAH.

HARI KISHAN KAUL.

CYRIL JACKSON.

D. PETRIE.

N. M. SAMARTH.

S. F. STEWART }  
A. W. STREET } Joint Secretaries.

Dated the 27th day of March, 1921.

\* Signature subject to the remarks contained in the following Minutes.

I have had, unfortunately, to stay away from the Commission at its final stage owing to sudden and severe illness; but my Indian colleagues and I had thoroughly discussed between ourselves the more important features of our enquiry before I fell ill, and during my enforced absence, through their courtesy, we were exchanging our ideas by means of correspondence on most of the points dealt with in the report. There is one matter in which for want of time I was unable to take part, namely, the enhanced pension of members of the Civil Service retiring as members of the Executive Councils and Governors of Provinces. There are several things to consider in this connection. There are, firstly, the existence of a feeling of camaraderie and equality in the ranks of the Civil Service, who feel that, barring the exigencies of the service, they are all on a footing of equality, a feeling which I should not like to disturb; and, secondly, the recent decision of the Government to refund the whole of their contributions has meant an addition of £250 to the pensions of the members of the service, and enables those who rise to high office to make a substantial addition to the fund at their credit on their retirement. It must also be borne in mind that Viceroys and Governors coming out from England retire without any pensions at the end of their term. For these reasons I am opposed to any enhancement of the pensions in the case of members of Executive Councils or Governors.

(Signed) BHUPENDRANATH BASU.



APPENDIX I.  
ROYAL COMMISSION ON THE SUPERIOR CIVIL SERVICES  
IN INDIA.  
I.

Questionnaire on the Organisation of the Services.

1. In the light of the experience now gained of the operation of the system of government established by the Government of India Act, and in view of the avowed policy of Parliament as contained in the preamble of that Act, do you consider that any readjustment of the position of any or all of the All-India Services is required, and, in particular, would it be possible to transfer immediately or gradually any of their present duties and functions to Services constituted on a provincial basis? If, in your opinion, any readjustment is necessary, what should be the place and functions of these Services, and especially of the Indian Civil Service, in the Government of India?

2. The tables annexed set out the principal classes of superior appointments at present held by members of the All-India Services. To what extent, in each of these classes, do you consider that European personnel must at present be retained for the maintenance of a standard of administration in accordance with the responsibilities of the Crown for the Government of India, and do you consider that any progressive reduction of this European element will be practicable within, say, the next 20 years?

3. Do you consider that the European element in the Services should be appointed and controlled by the Secretary of State in Council as members of Services organised on an All-India basis with the safeguards and conditions at present attaching to that organisation, or should it be appointed and controlled by the Government of India, or, where the duties concerned are under a Local Government, by the Local Government?

4. Having regard to the declared policy of Parliament in respect of increasing the association of Indians in every branch of the administration, and to the provision in Section 84 A of the Government of India Act for the appointment of a Statutory Commission in 1929 to report on the extent to which it is desirable "to extend, modify or restrict the degree of responsible government then existing" in India; and having regard also to the importance of offering to recruits a career of adequate security and opportunity; on what conditions do you consider that the European element in the Services should be recruited? In particular, do you consider that engagements on short term contracts would be suitable as a substitute for permanent appointments; and, if so, to what extent and in what branches of the Services?

5. Do you consider that the Secretary of State in Council should continue to appoint and control the Indians required for duties and functions of the kind at present performed by the All-India Services; or should they be appointed by the Government of India or by Local Governments? If you hold the former view, do you consider that any alterations are necessary in the methods adopted for the recruitment of Indians for the All-India Services?

6. Do you consider that the existing rates of pay for the All-India Services are suitable (a) for Europeans, (b) for Indians? If not, what readjustments do you suggest?

7. If Local Governments should appoint the personnel required for the duties and functions referred to in 5, would it be preferable to organise them as separate superior Provincial Services or to amalgamate them with the existing Provincial Services? In the latter alternative, what scales of pay would, in your opinion, be necessary to obtain recruits of the required standard?

\*The scales on which Indians are being recruited for the various Indian Services under existing rules are shown in Annexure III to the questionnaire.

## ANNEXURE I TO QUESTIONNAIRE I.

## TERMS OF REFERENCE OF ROYAL COMMISSION ON THE SUPERIOR CIVIL SERVICES IN INDIA.

Whereas, having regard to the necessity for maintaining a standard of administration in conformity with the responsibilities of the Crown for the Government of India, and to the declared policy of Parliament in respect of the increasing association of Indians in every branch of the administration, and in view of the experience now gained of the operation of the system of Government established by the Government of India Act in respect of the superior Civil Services in India. We have deemed it expedient that a Commission should forthwith issue to enquire into :—

- (1) The organisation and general conditions of service, financial and otherwise, of those Services ;
- (2) The possibility of transferring immediately or gradually any of their present duties and functions to services constituted on a provincial basis ;
- (3) The recruitment of Europeans and Indians respectively for which provision should be made under the Constitution established by the said Act, and the best methods of ensuring and maintaining such recruitment ; and to make recommendations.

## ANNEXURE II TO QUESTIONNAIRE I.

## TABLE OF PRINCIPAL CLASSES OF SUPERIOR APPOINTMENTS UNDER THE GOVERNMENT OF INDIA HELD BY MEMBERS OF THE ALL-INDIA SERVICES.

*Indian Civil Service—*

Appointments under the Foreign and Political Department.  
 Commissioner, Northern India Salt Revenue Department.  
 Census Commissioner.  
 Director General of Commercial Intelligence.  
 Collector of Customs.  
 Accountant General and Chief Auditor.  
 Deputy Controller of Currency.  
 Controller of Currency.  
 Auditor General.  
 Miscellaneous posts such as Opium Agent, etc.  
 Postmaster-General.  
 Deputy Director General of the Post Office.  
 Director General of Posts and Telegraphs.  
 Deputy Secretary and Secretary to Government of India.  
 Member of Central Board of Revenue.  
 Puisne Judge, Calcutta High Court.  
 Member of Governor General's Executive Council.  
 Miscellaneous posts such as Chief Commissioner, Delhi, Andaman and Nicobar Islands, etc.

*Indian Police Service—*

Assistant Director, Deputy Director and Director, Intelligence Bureau.

*Indian Forest Service—*

Scientific posts at the Forest Research Institute and College such as Forest Economist, etc.  
 President, Research Institute.  
 Inspector General of Forests.

*Indian Educational Service—*

Educational Commissioner.  
 Appointments of masters on the Chiefs' Colleges cadre under the Political Department.

*Indian Agricultural Service—*

Agricultural Chemists, Imperial Agriculturists, etc.  
 Director of the Agricultural Research Institute and College, Pusa.  
 Agricultural Adviser to the Government of India.

*Indian Service of Engineers—*

Executive Engineer.  
 Superintending Engineer.  
 Chief Engineer.  
 Consulting Engineer.

## ANNEXURE II—contd.

*Indian Service of Engineers—contd.*

## Railways—

Executive Engineer.  
Superintending Engineer.  
Chief Engineer and Deputy Chief Engineer.  
Members, Railway Board.

*Indian Medical Service—*

Appointments of Agency and Residency Surgeons under the Political Department.  
Scientific posts such as Director of Medical Research.

*Indian Medical Services—contd.*

Director, Central Research Institute, Kasauli, etc.  
Public Health Commissioner.  
Assistant Director, Deputy Director, Director General, Indian Medical Service.

*Indian Veterinary Service—*

Scientific posts at the Imperial Bacteriological Laboratory, Mukhtesar, such as Director, Bacteriologists, etc.

## TABLE OF PRINCIPAL CLASSES OF SUPERIOR APPOINTMENTS UNDER THE PROVINCIAL GOVERNMENTS HELD BY MEMBERS OF THE ALL-INDIA SERVICES.

*Indian Civil Service—*

Sub-Collector, 1st grade, Madras.  
Magistrate Collector, Deputy Commissioner, or Settlement Officer.  
District and Sessions Judge or Divisional Judge.  
Deputy Secretary and Secretary to local Governments and Boards of Revenue.  
Commissioner.  
Member of Boards of Revenue and Financial Commissioner.  
Civilian Judge of High Courts and Judicial Commissioner.  
Member of Governor's Executive Councils.

*Indian Police Service—*

Superintendent.  
Deputy Inspector General.  
Deputy Commissioner and Inspector General.  
Commissioner of Police (e.g., Bombay).

*Indian Educational Service—*

Inspector of Schools.  
Principal and Professor of College.  
Deputy Director and Director of Public Instruction.

*Indian Forest Service—*

Deputy Conservator.  
Conservator.  
Chief Conservator.

*Indian Forest Engineering Service—*  
Forest Engineers.*Indian Agricultural Service—*

Scientific posts such as Economic Botanist, etc.

*Indian Agricultural Service—contd.*

Principal and Professor of Agricultural College.  
Deputy Director of Agriculture.  
Director of Agriculture.

*Indian Service of Engineers—*

## Irrigation—

Executive Engineer.  
Superintending Engineer.  
Chief Engineer.  
Buildings and Roads—  
Executive Engineer.  
Superintending Engineer.  
Chief Engineer.

*Indian Veterinary Service—*

Principal and Professor of Veterinary College.  
Chief Superintendent.  
Superintendent and Veterinary Advisers to Government.

*Indian Medical Service—*

Civil Surgeon.  
Chemical Examiner.  
Director of Provincial Bacteriological Laboratory.  
Director of Pasteur Institute, etc.  
Health and Sanitary Officer.  
Superintendent, Surgeon and Physician of Hospital.  
Principal and Professor of College.  
Assistant Director of Public Health.  
Director of Public Health.  
Superintendent of Jails, Asylums, etc.  
Inspector General of Prisons.  
Inspector General of Civil Hospitals.  
Surgeon General.

## ANNEXURE III TO QUESTIONNAIRE I.

## STATEMENT SHOWING THE SCALES ON WHICH INDIANS ARE BEING AND WILL BE RECRUITED FOR THE ALL-INDIA SERVICES UNDER PRESENT RULES.

Indian Civil Service ..	37½ per cent. rising by 1½ per cent. annually up to 48 per cent.
Indian Police Service ..	33 per cent. in provinces other than North-West Frontier Province, and Burma. For North-West Frontier Province proportion is restricted to 10 per cent. and for Burma to 22 per cent. of which at least 15 should be Burmans.
Indian Forest Service ..	The percentage of direct recruitment of Indians has been fixed at 40 for India and 25 for Burma for a period of five years from 1921. This includes Indians recruited both in England and India. In addition recruitment by promotion from the Provincial to the Imperial Service has been fixed at 12.5 per cent. of the posts in the Imperial Service.
Indian Agricultural Service.	Composition of the Service to be worked up to 50 per cent. Indian by appointment of Indians, as qualified candidates become available. No definite scale of annual recruitment has been laid down.
Indian Veterinary Service.	Composition of the Service to be worked up to 50 per cent. Indian by appointment of Indians, subject to their attaining the requisite standard of efficiency. No definite scale of annual recruitment has been laid down.
Indian Educational Service : Men's Branch.	The general rule is that in regulating annual direct recruitment 50 per cent. should be Indians, until 50 per cent. of the composition of the Service is Indian. Indians transferred in posts transferred from the Provincial to the Imperial Service are not included in this 50 per cent. No definite percentage has been laid down for Burma.
Women's Branch	No definite percentage has been fixed.
Indian Service of Engineers.	50 per cent. recruited in England, and 50 per cent. in India. Of the 50 per cent. recruited in England 10 per cent. must be Indians. For Burma the percentage recruited in England is 67 instead of 50.
Indian Medical Service	The recruitment ratio fixed in 1915 was 2 Europeans to 1 Indian. Proposals to increase the ratio of Indians are at present under discussion.

## ANNEXURE IV TO QUESTIONNAIRE I.

STATUTORY PROVISIONS AND RULES DEFINING AND REGULATING THE  
POSITION OF THE INDIAN SERVICES, AND IN PARTICULAR OF  
THE ALL-INDIA SERVICES.

## EXTRACTS FROM GOVERNMENT OF INDIA ACT.

45A.—(2) Without prejudice to the generality of the foregoing powers (in regard to the classification of central and provincial subjects), rules made for the above-mentioned purposes may :—

- (iv) provide for regulating the exercise of the authority vested in the Local Government of a province over members of the public services therein.

(For rules made under this section, see page 84.)

67A.—(3) The proposals of the Governor-General in Council for the appropriation of revenue or moneys relating to the following heads of expenditure shall not be submitted to the vote of the Legislative Assembly, nor shall they be open to discussion by either chamber at the time when the annual statement is under consideration, unless the Governor-General otherwise directs :—

- (iii) Salaries and pensions of persons appointed by or with the approval of His Majesty or by the Secretary of State in Council.

72D.—(3) Nothing in the foregoing sub-section\* shall require proposals to be submitted to the (Governor's Legislative) Council relating to the following heads of expenditure :—

- (iv) Salaries and pensions of persons appointed by or with the approval of His Majesty or by the Secretary of State in Council.

96B.—(1) Subject to the provisions of this Act and of rules made thereunder, every person in the civil service of the Crown in India holds office during His Majesty's pleasure, and may be employed in any manner required by a proper authority within the scope of his duty, but no person in that service may be dismissed by any authority subordinate to that by which he was appointed, and the Secretary of State in Council may (except so far as he may provide by rules to the contrary) reinstate any person in that service who has been dismissed.

If any such person appointed by the Secretary of State in Council thinks himself wronged by an order by an official superior in a governor's province, and on due application made to that superior does not receive the redress to which he may consider himself entitled, he may, without prejudice to any other right of redress, complain to the governor of the province in order to obtain justice and the governor is hereby directed to examine such complaint and require such action to be taken thereon as may appear to him to be just and equitable.

(2) The Secretary of State in Council may make rules† for regulating the classification of the civil services in India, the methods of their recruitment, their conditions of service, pay and allowances, and discipline and conduct. Such rules may, to such extent and in respect of such matters as may be prescribed, delegate the power of making rules to the Governor-General in Council or to Local Governments, or authorise the Indian Legislature or Local Legislatures to make laws regulating the public services.

Provided that every person appointed before the commencement of the Government of India Act, 1919, by the Secretary of State in Council

\*The foregoing sub-section requires that "The estimated annual expenditure and revenue of the province shall be laid...before the (Governor's Legislative) Council in each year, and the proposals of the Local Government for the appropriation of provincial revenues and other moneys in any year shall be submitted to the vote of the Council in the form of demands for grants."

†For rules made under this sub-section, see page 84. district.

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to the civil service of the Crown in India shall retain all his existing or accruing rights, or shall receive such compensation for the loss of any of them as the Secretary of State in Council may consider just and equitable.

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(3) The right to pensions and the scale and conditions of pensions of all persons in the civil service of the Crown in India appointed by the Secretary of State in Council shall be regulated in accordance with the rules in force at the time of the passing of the Government of India Act, 1919. Any such rules may be varied or added to by the Secretary of State in Council and shall have effect as so varied or added to, but any such variation or addition shall not adversely affect the pension of any member of the service appointed before the date thereof.

India

India

Nothing in this section or in any rule thereunder shall prejudice the rights to which any person may, or may have, become entitled under the provisions in relation to pensions contained in the East India Annuity Funds Act, 1874.

India

(4) For the removal of doubts, it is hereby declared that all rules or other provisions in operation at the time of the passing of the Government of India Act, 1919, whether made by the Secretary of State in Council or by any other authority, relating to the civil service of the Crown in India, were duly made in accordance with the powers in that behalf, and are confirmed, but any such rules or provisions may be revoked, varied, or added to by rules or laws made under the section.

India  
vic

96c.—(1) There shall be established in India a public service commission, consisting of not more than five members, of whom one shall be chairman, appointed by the Secretary of State in Council. Each member shall hold office for five years, and may be reappointed. No member shall be removed before the expiry of his term of office, except by order of the Secretary of State in Council. The qualifications for appointment and the pay and pension (if any) attaching to the office of chairman and member shall be prescribed by rules made by the Secretary of State in Council.

India  
vic

(2) The Public Service Commission shall discharge, in regard to recruitment and control of the public services in India, such functions as may be assigned thereto by rules made by the Secretary of State in Council.

India  
vic

96a.—Rules made under this Part\* of this Act shall not be made except with the concurrence of the majority of votes at a meeting of the Council of India.

97.—(1) The Secretary of State in Council may, with the advice and assistance of the Civil Service Commissioners, make rules for the examination, under the superintendence of those Commissioners, of British subjects, and of persons in respect of whom a declaration has been made under Section 96a† of this Act, who are desirous of becoming candidates for appointment to the Indian Civil Service.

(2) The rules shall prescribe the age and qualifications of the candidates, and the subjects of examination.

(2A) The admission to the Indian Civil Service of a British subject who or whose father or mother was not born within His Majesty's dominions shall be subject to such restrictions as the Secretary of State in

India  
gin

\*Part VIIA relating to the Civil Services in India.

†Section 96a provides that the Governor-General in Council, with the approval of the Secretary of State in Council, may, by notification, declare that any named ruler or subject of any State in India shall be eligible for appointment to any civil or military office under the Crown to which a native of British India may be appointed, or any named subject of any State, or any named member of any independent race or tribe, territory adjacent to India, shall be eligible for appointment to any office under the Crown.

Indian

Council, with the advice and assistance of the Civil Service Commissioners, may think fit to prescribe, and all such restrictions shall be included in the rules.

(3) All rules made in pursuance of this section shall be laid before Parliament within fourteen days after the making thereof, or, if Parliament is not then sitting, then within fourteen days after the next meeting of Parliament.

(4) The candidates certified to be entitled under the rules shall be recommended for appointment according to the order of their proficiency as shown by their examination.

(5) Such persons only as are so certified may be appointed or admitted to the Indian Civil Service by the Secretary of State in Council.

(6) Notwithstanding anything in this section, the Secretary of State may make appointments to the Indian Civil Service of persons domiciled in India in accordance with such rules as may be prescribed by the Secretary of State in Council with the concurrence of the majority of votes at a meeting of the Council of India.

Any rules made under this sub-section shall not have force until they have been laid for thirty days before both Houses of Parliament.

98. Subject to the provisions of this Act, all vacancies happening in any of the offices specified or referred to in the Third Schedule to this Act,\* and all such offices which may be created hereafter, shall be filled from amongst the members of the Indian Civil Service.

99.—(1) The authorities in India, by whom appointments are made to offices in the Indian Civil Service, may appoint to any such office any person of proved merit and ability domiciled in British India and born of parents habitually resident in India and not established there for temporary purposes only, although the person so appointed has not been admitted to that service in accordance with the foregoing provisions of this Act.

(2) Every such appointment shall be subject to such rules as may be prescribed by the Governor-General in Council and sanctioned by the Secretary of State in Council with the concurrence of a majority of votes at a meeting of the Council of India.

(3) The Governor-General in Council may, by resolution, define and limit the qualification of persons who may be appointed under this section,

\*Third Schedule to the Government of India Act, Section 98 :—

#### OFFICES RESERVED TO THE INDIAN CIVIL SERVICE.

##### A.—Offices under the Governor-General in Council.

1. The offices of secretary, joint secretary, and deputy secretary in every department except the Army, Marine, Education, Foreign, Political and Public Works Departments: Provided that, if the office of secretary or deputy secretary in the Legislative Department is filled from among the members of the Indian Civil Service, then the office of deputy secretary or secretary in that department, as the case may be, need not be so filled.

2. Three offices of Accountants General.

B.—Offices in the Province which were known in the year 1861 as "Regulation Provinces."

The following offices, namely :—

- |   |  |
|---|--|
| 1. Member of the Board of Revenue.  | 7. Secretary to the Board of Revenue.                          |
| 2. Financial Commissioner.  | 8. District sessions judge.                                    |
| 3. Commissioner of Revenue.   | 9. Additional district or sessions judge.                      |
| 4. Commissioner of Customs.   | 10. District magistrate.                                       |
| 5. Opium Agent.   | 11. Collector of Revenue or Chief Revenue Officer of district. |
| 6. Secretary in every department except the Public Works or Marine Departments. |  |

but every resolution made for that purpose shall be subject to the sanction of the Secretary of State in Council, and shall not have force until it has been laid for thirty days before both Houses of Parliament.

100.—(1) Where it appears to the authority in India by whom an appointment is to be made to any office reserved to members of the Indian Civil Service, that a person not being a member of that service ought, under the special circumstances of the case, to be appointed thereto, the authority may appoint thereto any person who has resided for at least seven years in India and who has, before his appointment, fulfilled all the tests (if any) which would be imposed in the like case on a member of that service.

(2) Every such appointment shall be provisional only, and shall forthwith be reported to the Secretary of State, with the special reasons for making it; and, unless the Secretary of State in Council approves the appointment, with the concurrence of a majority of votes at a meeting of the Council of India, and within twelve months from the date of the appointment intimates such approval to the authority by whom the appointment was made, the appointment shall be cancelled.

101.—(3) A judge of a high court must be—

(b) a member of the Indian Civil Service of not less than ten years' standing, and having for at least three years served as, or exercised the powers of, a district judge.

(4) Provided that not less than one-third of the judges of a high court, including the chief justice but excluding additional judges, must be such barristers or advocates as aforesaid, and that not less than one-third must be members of the Indian Civil Service.

EXTRACT FROM THE (DEVOLUTION) RULES MADE UNDER SECTION 45A (2) (see page 81).

10. The authority vested in the Local Government over officers of the public services employed in a Governor's Province shall be exercised in the case of officers serving in a department dealing with reserved subjects by the Governor in Council, and in the case of officers serving in a department dealing with transferred subjects by the Governor acting with the minister in charge of the department: provided that—

(a) no order affecting emoluments or pensions, no order of formal censure, and no order on a memorial shall be passed to the disadvantage of an officer of an All-India or Provincial Service without the personal concurrence of the Governor; and

(b) no order for the posting of an officer of an All-India Service shall be made without the personal concurrence of the Governor.

11. If an officer performs duties both in a department dealing with reserved subjects and in a department dealing with transferred subjects, the Governor shall decide in which department he shall be deemed to be serving.

12. A Local Government shall employ such number of Indian Medical Service officers in such appointments and on such terms and conditions as may be prescribed by the Secretary of State in Council.

RULES UNDER SECTION 96B (2) OF THE GOVERNMENT OF INDIA ACT (see page 81).

In exercise of the powers conferred by section 96B (2) of the Government of India Act, the Secretary of State in Council, with the concurrence of the majority of votes at a meeting of the Council held this 22nd day of December, 1920, hereby makes the following rules under the said section, which shall apply only to Governor's Provinces, and shall have effect from the several dates appointed for the coming into operation of the said section in those provinces.



*Classification of Officers under Administrative Control of Local Governments.*

I. Officers under the administrative control of Local Governments, other than officers employed on the administration of central subjects and appointed by the Secretary of State or the Government of India, shall be classified in the following divisions, namely :—

- (1) the All-India Services,
- (2) the Provincial Services,
- (3) the Subordinate Services,
- (4) officers holding special posts.

*Definition of All-India Services.*

II. The All-India Services shall consist of—

- (a) all officers serving under Local Governments who are members of any of the following services—

- (1) the Indian Civil Service,
- (2) the Indian Police Service,
- (3) the Indian Forest Service,
- (4) the Indian Educational Service,
- (5) the Indian Agricultural Service,
- (6) the Indian Service of Engineers,
- (7) the Imperial branch of the Civil Veterinary Department,
- (8) officers of the Indian Medical Service in civil employ,

and any other service declared by the Secretary of State in Council to be an All-India Service\* ;

- (b) military officers and other officers holding posts borne on the provincial cadres of the above services.

*Definition of Provincial Services.*

III.—(1) The Provincial Services shall consist of the services shown in the schedule to these rules, and any other service declared by the Local Government to be a provincial service.

(2) The services shown in the schedule shall include all appointments at present included in these services, and any appointments which a Local Government may add thereto :

Provided that if any service not included in the schedule to these rules is declared to be a provincial service, or if any appointment of a kind or class not at present included in a provincial service is added thereto, such declaration or addition shall be without prejudice to the rights and prospects of members of provincial services affected who were appointed before these rules were made.

*Definition of Subordinate Services.*

IV. The Subordinate Services shall consist of all minor administrative, executive, and ministerial posts to which appointments are made by the Local Government or by an authority subordinate to the Local Government.

*Special Posts.*

V. Special posts shall include all posts of a special or technical character, not included in an All-India or Provincial Service, to which appointments are made by the Local Government or by any other authority on behalf of the Local Government and which are declared by the Local Government to be special posts.

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\*By Resolution in Council, dated 12th December, 1922, item (7) was altered to "the Indian Veterinary Service" and by Resolution, dated 5th September 1923 "the Indian Forest Engineering Service" was added.



*Authority of Local Government over Officers of Provincial and Subordinate Services, and Officers holding Special Appointments.*

XIII. Without prejudice to the provisions of any law for the time being in force, the Local Government may for good and sufficient reasons—

- (1) censure,
- (2) withhold promotion from,
- (3) reduce to a lower post,
- (4) suspend,
- (5) remove, or
- (6) dismiss,

any officer holding a post in a provincial or subordinate service or a special appointment.

*Procedure in cases of Dismissal, Removal or Reduction.*

XIV. Without prejudice to the provisions of the Public Servants Inquiries Act, 1850, in all cases in which the dismissal, removal or reduction of any officer is ordered, the order shall, except when it is based on facts or conclusions established at a judicial trial, or when the officer concerned has absconded with the accusation hanging over him, be preceded by a properly recorded departmental enquiry. At such an enquiry a definite charge in writing shall be framed in respect of each offence and explained to the accused, the evidence in support of it and any evidence which he may adduce in his defence shall be recorded in his presence and his defence shall be taken down in writing. Each of the charges framed shall be discussed and a finding shall be recorded on each charge.

*Delegation.*

XV. A Local Government may delegate to any subordinate authority, subject to such conditions, if any, as it may prescribe, any of the powers conferred by Rule XIII in regard to officers of the subordinate services :

Provided that every such officer on whom any punishment is inflicted shall be entitled to prefer at least one appeal against such order to such authority as the Local Government may prescribe.

SCHEDULE OF PROVINCIAL SERVICES.

(RULE III.)

*Madras.*

- (1) Madras Civil Service.
- (2) Madras Educational Service.
- (3) Madras Civil Medical Service.
- (4) Madras Police Service.
- (5) Madras Agricultural Service.
- (6) Madras Agricultural Engineering Service.
- (7) Madras Engineering Service.
- (8) Extra Assistant Conservators of Forests.
- (9) District Registrars.
- (10) Gazetted officers of the Jail Department not belonging to the Indian Medical Service.
- (11) Deputy Sanitary Commissioners not belonging to the Indian Medical Service.
- (12) Gazetted officers of the Survey and Land Records Department not belonging to the Indian Civil Service.
- (13) Officers above the rank of Assistant Inspectors in the Salt and Excise Department not belonging to the Indian Civil Service.

- (14) Deputy Superintendents in the Veterinary Department and the Assistant Principal of the Veterinary College.
- (15) Chief Inspector and Inspectors of Factories.
- (16) Assistant Registrars of Co-operative Societies.
- (17) The Chief Boiler Inspector and Boiler Inspectors.

*Bombay.*

- (1) Bombay Civil Service.
- (2) Bombay Educational Service.
- (3) Bombay Civil Medical Service.
- (4) Bombay Police Service, and Superintendents of the Bombay City Police.
- (5) Bombay Agricultural Service, that is, officers of and above the rank of Assistant Professors of the Agricultural College and Divisional Superintendents not being members of an All-India Service.
- (6) Bombay Engineering Service.
- (7) Extra Assistant Conservators of Forests.
- (8) Sub-Registrars of the Bombay City.
- (9) Non-medical Superintendents of Jails.
- (10) Deputy Commissioners not belonging to the Indian Civil Service, Assistant Collectors and Officers of the rank of Senior grade Inspectors recruited by direct appointment of the Bombay Salt and Excise Department.
- (11) Officers of and above the rank of Assistant Professors of the Bombay Civil Veterinary College and Deputy Veterinary Superintendents not being members of an All-India Service.
- (12) Inspectors of Factories, steam boilers and smoke nuisances.
- (13) Officers of and above the rank of Assistant Registrars and Special Auditors of Co-operative Societies.
- (14) Deputy Sanitary Commissioners, Port Health Officers and Bacteriological Officers (including officers in charge of sanitary laboratories) not belonging to the Indian Medical Service.
- (15) Shipping and Deputy Shipping Masters.
- (16) Deputy Political Agents.
- (17) Commissioners and Collectors of Income Tax.
- (18) Bombay Customs Service.

*Bengal.*

- (1) Bengal Civil Service.
- (2) Bengal Educational Service.
- (3) Bengal Civil Medical Service.
- (4) Bengal Police Service.
- (5) Bengal Agricultural Service.
- (6) Bengal Engineering Service.
- (7) Bengal Forest Service.
- (8) District Registrars.
- (9) Bengal Excise Service, that is Inspectors, Prosecutors, Superintendents and Deputy Commissioners.
- (10) Bengal Veterinary Service.
- (11) Deputy Sanitary Commissioners not belonging to the Indian Medical Service.
- (12) Bengal Pilot Service.
- (13) Bengal Gardeners' Service.

*United Provinces.*

- (1) United Provinces Civil Service.
- (2) United Provinces Educational Service.
- (3) United Provinces Civil Medical Service.
- (4) United Provinces Police Service.
- (5) United Provinces Engineering Service.
- (6) United Provinces Agricultural Service.
- (7) Extra Deputy Conservators and Extra Assistant Conservators of Forests.
- (8) Inspectors of Registration Offices.
- (9) Assistant Excise Commissioners.
- (10) Deputy Superintendents of the United Provinces Civil Veterinary Department.
- (11) Deputy and Assistant Registrars of Co-operative Societies.
- (12) Sub-Deputy and Assistant Opium Agents.
- (13) Deputy Sanitary Commissioners not belonging to the Indian Medical Service.

*Punjab.*

- (1) Punjab Civil Service.
- (2) Punjab Educational Service.
- (3) Punjab Civil Medical Service.
- (4) Punjab Police Service.
- (5) Punjab Agricultural Service.
- (6) Punjab Service of Engineers.
- (7) Punjab Forest Service.
- (8) Punjab Veterinary Service.
- (9) Deputy Sanitary Commissioners not belonging to the Indian Medical Service.

*Bihar and Orissa.*

- (1) Bihar and Orissa Civil Service.
- (2) Bihar and Orissa Educational Service.
- (3) Bihar and Orissa Civil Medical Service.
- (4) Bihar and Orissa Police Service.
- (5) Assistant Directors of Agriculture.
- (6) Bihar and Orissa Engineering Service.
- (7) Bihar and Orissa Forest Service.
- (8) Deputy Superintendents of Jails.
- (9) Superintendents of Excise and Salt.
- (10) Deputy Sanitary Commissioners not belonging to the Indian Medical Service.

*Central Provinces.*

- (1) Central Provinces Civil Service.
- (2) Central Provinces Educational Service.
- (3) Central Provinces Civil Medical Service.
- (4) Central Provinces Police Service.
- (5) Central Provinces Agricultural Service.
- (6) Central Provinces Engineering Service.
- (7) Central Provinces Forest Service.
- (8) Deputy Directors of Land Records.
- (9) The upper cadre of District Excise Officers.
- (10) Deputy Superintendents of the Central Provinces Civil Veterinary Department.
- (11) Collectors of Income-tax.
- (12) Deputy Sanitary Commissioners not belonging to the Indian Medical Service.

*Assam.*

- (1) Assam Civil Service.
- (2) Assam Educational Service.
- (3) Assam Civil Medical Service.
- (4) Assam Police Service.
- (5) Assam Agricultural Service.
- (6) Assam Service of Engineers.
- (7) Extra Deputy Conservators and Extra Assistant Conservators of Forests.
- (8) Excise Superintendents.
- (9) Deputy Superintendents, Assam Veterinary Department.
- (10) Deputy Sanitary Commissioners not belonging to the Indian Medical Service.

EXTRACT FROM RULES RELATING TO EXPENDITURE BY THE GOVERNMENT OF INDIA ON SUBJECTS OTHER THAN PROVINCIAL. (GOVERNMENT OF INDIA, FINANCE DEPARTMENT, RESOLUTION NO. 1448-E.A., DATED 29TH SEPTEMBER, 1922.)

The previous sanction of the Secretary of State in Council is necessary :—

- (1) To the creation of any new or the abolition of any existing, permanent post, or to the increase or reduction of the pay drawn by the incumbent of any permanent post, if the post in either case is one which would ordinarily be held by a member of one of the services named in the Schedule, or to the increase or reduction of the cadre of any of those services.

*The Schedule.*

- (1) Indian Civil Service.
- (2) Indian Police Service.
- (3) Indian Forest Service.
- (4) Indian Educational Service.
- (5) Indian Agricultural Service.
- (6) Indian Service of Engineers.
- (7) The Imperial Branch of the Civil Veterinary Department.
- (8) Indian Medical Service.
- (9) Imperial Customs Service.
- (10) Indian Audit and Accounts Service.
- (11) Superintendents and Class I of the Survey of India Department.
- (12) The Superior Staff of the Geological Survey of India Department.
- (13) The Superior Telegraph Branch of the Post and Telegraph Department.
- (14) The State Railway Engineering Service.
- (15) The Superior Staff of the Mint and Assay Departments.
- (16) The Archaeological Department.
- (17) Any other service declared by the Secretary of State in Council to be included in this Schedule.

EXTRACT FROM RULES RELATING TO EXPENDITURE BY A GOVERNOR IN COUNCIL ON RESERVED PROVINCIAL SUBJECTS. (GOVERNMENT OF INDIA, FINANCE DEPARTMENT, RESOLUTION NO. 1449-E.A., DATED 29TH SEPTEMBER, 1922.)

1. The previous sanction of the Secretary of State in Council is necessary :—

- (1) To the creation of any new, or the abolition of any existing, permanent post, or to the increase or reduction of the pay drawn by the incumbent of any permanent post, if the post in either case is one which would ordinarily be held by a member of an All-India Service, or to the increase or reduction of the cadre of an All-India Service.

EXTRACT FROM SCHEDULE III OF THE DEVOLUTION RULES RELATING TO EXPENDITURE BY A LOCAL GOVERNMENT ON TRANSFERRED SUBJECTS.

1. The previous sanction of the Secretary of State in Council is necessary:—

- (1) to the creation of any new, or the abolition of any existing, permanent post, or to the increase or reduction of the pay attached to any permanent post, if the post in either case is one which would ordinarily be held by a member of an All-India Service, or to the increase or reduction of the cadre of an All-India Service.

EXTRACT FROM INSTRUMENT OF INSTRUCTIONS TO GOVERNORS.

VII. But in addition to the general responsibilities with which you are, whether by statute or under this Instrument, charged, We do further hereby specially require and charge you:—

- (4) to safeguard all members of Our services employed in the said presidency in the legitimate exercise of their functions, and in the enjoyment of all recognised rights and privileges and to see that your Government order all things justly and reasonably in their regard, and that due obedience is paid to all just and reasonable orders and diligence shown in their execution.

II.

Questionnaire on Service Conditions in the All-India Services.

1. Taking into consideration the provisions of the Government of India Act, do you consider that the position of members of the Services is adequately safeguarded as regards (i) pay (ii) allowances (iii) prospects (iv) pensions. If not, and bearing in mind the existing constitutional position in India, have you any proposals to make?

2. Have you any observations to offer on the scheme for retirement on proportionate pension announced in the Government of India, Home Department, Resolution dated 8th November, 1921, No. F-119-I. (Establishment.) as subsequently amended?

3. What are your views with regard to the present rates of pay? Give any figures available to you, e.g., family budgets, distinguishing between expenditure in India and expenditure involving remittance to the United Kingdom. If a new scale of remuneration were fixed now, how would you provide for its adjustment to meet future variations in prices and exchange?

4. What are your views with regard to the question of passage allowances for officers in the Services and their families? If such allowances were granted, would you prefer that they should take the form of an increase of overseas pay to all officers or the grant of a certain number of passages during an officer's service to himself, his wife and family?

5. Have you any criticisms to make regarding the allowances payable to the Services?

6. Have you any observations to offer regarding the withdrawal of exchange compensation allowance?

7. Do you consider that any grievance exists in respect of house-accommodation, the rent chargeable for official residences, or the house-rent allowances granted when no official residence is available?

8. Have you any criticism to make regarding the leave rules?

9. Do you consider that the pension rules and scales are satisfactory? If not, give reasons in detail for any proposals you may have to make. Do you consider that subscription to Provident Funds by Government in lieu of pensions should be adopted for (1) officers now in the Services and (2) future recruits? Have you any observations to make on the rules governing commutation of pensions, and in particular the existing one-third restriction on the proportion of pension which may be commuted?

10. What is your opinion of the comparative merits of family pensions and provident funds as provision for the families of deceased officers? Have you any observations to offer regarding the existing I.C.S. Family Pension Fund?

11. Do you consider that suitable provision is made for medical attendance for officers and their families? If not, have you any proposals to make?

## APPENDIX II.

NOTE BY LIEUTENANT-GENERAL SIR C. H. BURTCHAEIL, K.C.B., C.M.G., FORMERLY DIRECTOR, MEDICAL SERVICES IN INDIA, ON THE RECOMMENDATIONS OF THE VEENNEY-LOVEITT COMMITTEE.

The report of the Medical Services Committee, 1919, and the discussions and proposals that appear in the Army Department files on the same subject since 1879, point to the desirability of forming a single medical corps for the Army in India. If such a corps be formed, it must be organised to meet all requirements, separately, of (i) British troops, and (ii) Indian troops, during peace in India, and of both categories of troops during war, whether they be employed independently or in combination on, or beyond, the frontier of India or overseas.

2. In considering the points leading up to the recommendations for the formation of an Indian Medical Corps, the Committee did not bring out prominently the distinction that must be observed between British troops and Indian troops, especially in connection with the purpose for which the former are maintained in India and their possible dispositions during war. The Public Services Commission lays stress on the necessity of calculating separately on their merits :—

- (i) The needs of the Army (including, of course, the British Army).
- (ii) The needs of the Civil Administration.

Close adherence to that precept and a fuller consideration of the wider aspects, on their merits, of the needs of the Army would have enabled the Committee to avoid the rock on which all former proposals for a single medical service for the Army in India were wrecked, namely, the expediency, if not the impossibility, of depriving the British troops in India of the officers of the medical service of the British Army as a whole. The proposed Indian Medical Corps, by reason of its title and the composition of its officers, irrespective of efficient military training and organisation, would in no way overcome the inconveniences that are said to have been experienced during the Great War, when medical officers and medical units of the Indian Army were brought into contact with officers and units of the Royal Army Medical Corps in overseas theatres of war.

The Committee state that the Indian Medical Service officers found themselves at a disadvantage alongside officers of the Royal Army Medical Corps by whom they were constantly superseded; friction, overlapping and re-duplication of effort occurred; this resulted sometimes from the widely different antecedents of the officers, and the existence side by side of two cadres of medical officers with different rates of pay, leave rules and terms for pension. To abrogate this undesirable state of affairs in future wars, the committee arrived at the rather peculiar conclusion (paragraph 43), that after the formation of one Indian Medical Corps, composed of British and Indian officers, and further removed in antecedents and conditions of service from the Royal Army Medical Corps than the present Indian Medical Service, co-operation and interchange of duties would be facilitated, and the officers and men of the Indian Medical Corps and the Royal Army Medical Corps would find it possible, and indeed easy, to work together when they met outside the boundaries of India on field service.

If there were difficulties in the past what will be the situation in an overseas theatre of war in the future when the British troops or composite Indian divisions from India arrive at the scene of operations with their Indian Medical Corps medical officers and organisations, and start work in the same army corps or army alongside the Royal Army Medical Corps? In some years to come not one of the latter officers would have the slightest acquaintance with India or its medical corps. A not impossible contingency would be the despatch of organised fighting divisions from the United Kingdom to India. No officer of the Royal Army Medical Corps would possess any knowledge of India, its diseases or dangers to health. The



Assistant Director, Medical Services, of a British division might, indeed, by seniority, at once become a Deputy Director, Medical Services, of a formation including troops of the Indian Army with their complement of Indian Medical Corps, and he might possibly possess less total service than the senior officer of the Indian Medical Corps on the spot. Thus in military operations on a large scale, in or out of India, "unification" on the lines proposed by the Committee falls to the ground, and the way is open to again create, in war, the grievances arising from supersession and comparative rates of pay, which would probably reappear in a form even more acute than that they are said to have taken during the past five years.

4. So long as the reasons which necessitate the maintenance of the British Army in India hold good, and so long as British troops on the Indian establishments are liable to be called upon for service in other parts of the world, British officers of the medical corps of the British Army must be retained on the Indian establishment, and be available for transfer with troops to any theatre of war, where in the ordinary course they would be interchangeable with the medical officers of the Army as a whole. The despatch of British troops from India to South Africa in 1899, and to the United Kingdom and France in 1914, are cases in point. On both occasions a number of trained Royal Army Medical Corps officers accompanied the troops and their services were utilised on the duties for which they were most suited in the field army, irrespective of the troops they happened to accompany from India. Therefore the proposal for the absorption into an Indian Medical Corps of the officers of the Royal Army Medical Corps on the Indian establishment must now, as in the past, be condemned on purely military grounds.

Apart from the inexpediency from a military point of view of the lesser military medical service absorbing a portion of the greater, there are other reasons affecting the care, comfort and welfare of British troops in India against the introduction of an Indian Medical Corps, constituted as proposed by the Committee.

The proposed Indian Medical Corps is designed to contain British medical officers and Indian medical officers—Indians. The Committee was of opinion (paragraph 54) that it was not advisable to fix a percentage of Indians to be admitted to the proposed corps, but, although they thought it impossible at the present day to mix at once and entirely British and Indian doctors and to use them indiscriminately for the treatment of British and Indian troops, they believed that if there were a "unified" service it would be possible to extend gradually the medical care of British troops into the hands of Indian officers. Yet the Committee insist (paragraph 50) that in every military station and in every civil district headquarters there should be available a European medical officer and that arrangements should certainly be made for a European medical attendant to be secured for European officials, their wives and families, as well as for European planting, railway and other non-official communities.

The assertion that the British officer and soldier seem to object (paragraph 41) to treatment by Indian doctors, not because they are Indians, but because they have not, with few exceptions, attained a standard equal to that of British doctors, may, to a certain extent, be correct, but the Committee did not take into account the wider duties of a military medical officer in connection with healthy troops which are often more prominent than the medical treatment of a sick officer or man.

A previous proposal relating to the establishment of a single medical service was thrown out on this point alone. The War Office then stipulated that Indian members of the Indian Medical Service should not, under any conditions, be considered eligible for charge of white troops.

The present military assistant surgeons "will have become highly trained doctors," and the Committee consider [annexure VIII, paragraph (3)] they should be employed in lieu of commissioned medical officers, British or Indians. Military assistant surgeons, are, however,



(iii) It is not thought possible (paragraph 51) to secure a sufficient supply of European candidates for the proposed Indian Medical Corps unless retirements on gratuities be permitted after fixed periods before pension is earned in order to guarantee British candidates against a possible prospect of being tied for life to India much against their will.

(iv) It is impossible at present to form a medical corps for the Indian Army unless the officers of the Royal Army Medical Corps serving in India voluntarily transfer into it.

The Committee did not appear to have given much consideration to the fact that the attractions required to draw candidates into the service from the medical schools in the United Kingdom are the same as those required to induce any number of Royal Army Medical Corps officers to transfer.

(v) The Royal Army Medical Corps, the report states, is now a flourishing service, while the Indian Medical Service has ceased to attract the competition it once commanded so easily.

This is well-known. Some 15,000 or 20,000 civilian medical gentlemen served in the Royal Army Medical Corps during the war. The name and work of the corps as successfully accomplished by a combination of the regular and temporary officers, is familiar not only throughout the profession in the United Kingdom, but in the allied countries.

6. The solution seems to be to take up the alternative scheme which the Committee rejected (paragraph 54) and to form in India a new corps and a new service—the one distinct from the other :—

(1) The Royal Army Medical Corps (India). To provide for all medical requirements of the Army in India, both British and Indian troops, in peace and in war.

(2) The Imperial Indian Medical Service. A separate Civil Medical Service quite independent of the Army, but drawing its officers from the army for temporary or permanent service to fill such appointments as may be reserved for British or Indian medical officers of the Army.

As regards (1), it would not be feasible to create in India a medical corps and amalgamate it with the element of the Royal Army Medical Corps that happened to be serving in India. It should, however, be possible to form the Royal Army Medical Corps (India) constituted as a corps of the Indian Army, and composed of Indian and British personnel. Such a designation would tend to promote harmony and co-operation with the Royal Army Medical Corps of the British Army, and it may reasonably be expected to prevent invidious comparisons and friction in operations overseas where British and Indian troops are employed in the same force.

All officers and other ranks, Royal Army Medical Corps, while serving, in India, would be attached to the Royal Army Medical Corps (India).

The Committee rejected the suggestion that a Royal Army Medical Corps might be introduced into India on the grounds that the Royal Army Medical Corps only admits candidates of unmixed European blood. Indians, however, might be given commissions in the Royal Army Medical Corps and be allotted for permanent service in India with Indian troops, and be eligible for transfer to the Civil Imperial Medical Service or they might be given special commissions in the Royal Army Medical Corps (India). The question of granting commissions in the Royal Army Medical Corps to Indians for service in India only is one which at the present day merits consideration. There is no very obvious objection against granting such commissions to suitable and specially selected Indians.

The Royal Army Medical Corps (India) might be formed, with some modifications of the various categories of personnel, as contemplated in the